

THE STATE OF TEXAS :  
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 27TH day of SEPTEMBER, 1991, after due notice having been given, there was begun and holden, a SPECIAL MEETING of the Commissioners' Court in the Commissioners' Courtroom of the Administration Building in the City of Edinburg, Hidalgo County, Texas with the following members of said Court present and participating:

Hon. J. Edgar Ruiz  
County Judge

Hon. Ramiro Cavazos  
County Commissioner, Precinct #1

Hon. Lalo Arcaute  
County Commissioner, Precinct #2

Hon. Norberto Salinas  
County Commissioner, Precinct #3

Hon. Leonard Camarillo  
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

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JUDGE RUIZ

I hereby call this meeting to order, this Court is now in session, Commissioners, good morning, to all, good morning.

COMM. CAMARILLO

Good morning, sir.

JUDGE RUIZ

Ladies and gentlemen, we have two items on the agenda, first approval of the redistricting plan for the Justice of the Peace and Constable Precincts and also the authorization to submit said plan, whichever plan is approved, to the Justice Department. This is a special called meeting, ladies and gentlemen, if I may brief you a little bit, as to what has been going on, probably in the last four months. As you know, every ten years the State of Texas and County Government is given the responsibility to draw new district lines for various elected positions in the State of Texas and the County. This comes after the fact, the Census gives us a population and there is a strict law that there should be a "one person, one vote" district drawn up for every elected official. The State of Texas, obviously has the responsibility of drawing the lines for State Senators, State Representatives, Board of Education and Congressional lines. The County of Hidalgo has the responsibility of drawing lines for County Commissioners, Justices of the Peace and Constables. Commissioners' Court back about three months ago, decided that redistricting was necessary because of the growth of the County's population and the existing lines, that existed for all three races. We have gone through the process of submitting or appointing a committee, a Redistricting Committee, that met, they held three different public hearings around the County of Hidalgo. They came up with a County Commissioner plan, that has been adopted, last Tuesday, in our Commissioners' Court. They had two plans submitted for Justice of the Peace Precincts, none were recommended to the Committee, or to this Commissioners' Court. Commissioners' Court, after getting the recommendation from the Redistricting Committee, has the responsibility of holding three different public hearings for said lines. There were three public hearings, we had various comments, both on County Commissioners, JPs and Constables. At our last meeting, last Tuesday, again, we adopted a redistricting plan for the County Commissioners and we presented a new plan for the Justices of the Peace. That Justice of the Peace plan was submitted, not approved. We felt that the, the Justice of the Peace since it, plan since it was a new plan submitted to our community, that we felt compelled not to take any action, on the JP plan; hopefully, to get community reaction on the proposed plan. This morning, we will present that plan, again, to you, all who are present and of course the media. We will have our attorney and our staff make a presentation on the possible pros and cons, on the legality of the plan and thirdly, we will have public comments, from you all who are here. I encourage you, that you have any facts or figures, that you may have, pro or against, any proposed plan, at this point in time, that you feel free to come to the podium, state your name and discuss this with us. We are only looking at the Justice of the Peace and Constable plans. I will begin by asking Mr. Noe Cavaos, Mr. David Mendez, to please come to the podium, to basically make any statements necessary on the pro-

posed plan that we have at this point in time. Noe, I would like for you to, to sort of go over the plan real quickly, so that people have a good idea, where the lines are being drawn, at this point in time.

NOE CAVAZOS

Good morning, Judge, we did get together with the staff of Bickerstaff, Heath & Smiley and Mr. Mendez is present here today. We made an assessment on the proposed plan, that was presented Tuesday. I am going to give you the configuration that was proposed and go on to, to the legality of the redistricting process, with that plan. For some of you that weren't here Tuesday, the plan they proposed ----- from five Justice of the Peace precincts to six Justice of the Peace precincts. The population is trying to be equalized within the whole plan, trying to, to have the same population within all precincts, trying to stay as close as we can to an ideal precinct. The Justice of the Peace precincts are not required to meet the equal population requirement, but, the administration thought that it'd be feasible administratively to, to try to equalize the population as much as possible, because of work codes and things of that sort. As it is, this plan calls for a population of 79,477 in Precinct One, which is Weslaco, Mercedes and Donna area; Justice of the Peace Precinct Two, would go down from about 145,000 to 69,030 and would take in the Alamo, Pharr and San Juan area; Precinct Three, would have a population of 69,967, including the Mission, La Joya and Sullivan area; Precinct Four, would have a population of 65,575, taking in a real dip of McAllen and letting the eastern part of the precinct, which is Linn, the Linn area and the San Carlos area, into Precinct Five...

COMM. CAMARILLO

Faysville.

NOE CAVAZOS

...Faysville, I'm sorry and Precinct Five, which is the Delta Area, would have a population of 32,129 taking in the La Villa, Edcouch, Elsa, Monte Alto, Hargill, San Carlos and, of course,...

COMM. CAMARILLO

Faysville.

NOE CAVAZOS

...Faysville. The assessment that was conducted by staff, with the attorneys in Bickerstaff, Heath & Smiley, found that the requirements in redistricting were being met. As far as, being in compliance with minority voting rights the conformity with the geographic boundaries utilized by the Bureau of Census in the 1990 population count. Territorial requirements were also in conformity with the composition of the precincts, as they were all contiguous and reasonably compact and historical boundaries were maintained and preserved to the extent possible. Community of interest was also evident in the plan, recognizing identifiable, economic and, and community interests, rural and ur., rural and urban geographic areas were maintained with those other areas of common interest. Overall, the plan was in compliance with the procedural requirements and criterion established by Commissioners' Court in the redistricting process. However, you know, the plan did call for some administrative changes within the plan to, to proposed the abolition of three Justice of the Peace positions within the plan, which were Places One, in Precinct One, Place Two in Precinct Three and Place Two in Precinct Four, as some of the Justices of the Peace were not seeking reelection; one, which resigned and

another one, which possibly may resign in the near future. However, the, the plan was in compliance with legal requirements, but the effects of the plan may cause some cons in the, in the overall administration of the plan. So, Mr. Mendez is here right now with some of the information we collected throughout the assessment, which will, he will present to Commissioners' Court, at this time.

JUDGE RUIZ

Thank you, Noe. Good morning, David.

DAVID MENDEZ

Good morning, Judge, Court, I have been analyzing, as Noe suggests, the administrative effect and the state law effect, if you will, of the process, and I want to stress, for the Court and for the members of the public, that are present here today, that the proposal for the six JP precinct is entirely within the parameters of the Department of Justice requirement and the redistricting process; and what I want to concentrate on, this morning, is explain what happens with the elimination of places within the two place JP system and what happens when you create a new JP and some of the results or impacts that, that'll occur in the community and, and you know, that, that the Court may wish to take into consideration, in deciding on which plan to, to use; and I want to, this is a complex subject, and I'm just going to jump into the middle of it, but I will stress that there are three different types of laws that are, that you're having to deal with and they're all, they all have to be followed, but the Constitution and Article 5 Section 18, allows this Commissioners' Court to have two JP precincts. In other words, you're, you have a population in excess of 150,000, it is entirely appropriate under the Court's jurisdiction and power, given to them by the Constitution, to create two, and continue to have two place JP systems. Article 16 Section 65 tells the Court how terms work, when you have one and two place systems and that's going to be the real crux of this discussion this morning, but, I wanted to kind of lay out what the fundamentals are here and I'll go through, we've got a little chart that Noe and I kind of scratched together this morning that'll explain what Article 16 Section 65 does, as far as places; and I'll go through that in a second, but, that's, that's one critical element. I want to suggest to you that the second part that you have to look at is that the election, I mean, the Local Government Code, the provisions, codified in there for Commissioners' Courts, specify how the Court amends and creates new JP precincts. If the Court wants to create a new JP precinct number six, it is entirely appropriate to do so, under the Local Government Code, it tells you how and when it can come into effect and it tells you how you fill the vacancy, I mean, at what point it's vacant. The third element that the Court would be concerned with is the Election Code and again how you fill vacancies through an election process. Part of the thing that we have to be worried about here today, is that you are in the middle of the normal term for J., for single JP precincts. In other words, if you have a JP precinct that only has one place in it, it runs on a cycle, from '90, '94, and I'll explain that in a second, but we're right, happen to be sort of in the middle of that, we're coming up on the '92 General Elections, next year and what would happen is, if you create a new place right now it'll have to go up for election for the unexpired term next year; and so

regardless of whether you appoint somebody or fill a vacancy right now, where you created January 1, 1993, but those are the three basic concepts: the Constitutional provisions, the Local Government Code, allowing you to create new JP precincts and the Election Code, and how you fill them; and that's what I'm going to go over real quickly. Please stop me if there is any question, 'cause, this is a complex subject, I may miss something and like I said, I'm jumping into the middle of it, because there's no real logical, you know, start for this. Let's talk about elimina.., the concept of having two place systems. In 1954, when the Constitution, Constitutional provisions were set up, what, what the Constitution provided for was to allow a County to be, like on a one JP system or a two JP, two place JP precinct system and what happened is they wanted to stagger them. They didn't want both of those JPs, if you, if you select a two place JP system they didn't want the two JPs running at the same time all the time. As you recall, their Commissioners were split that same way, their one and three run at one time and two and four run at a different time, and this is all kind of inter-related with that concept. Back in 1954, they said at the first General Election in 1954 we're going to have elections for both the JPs if you have a two place JP system. Place One and Place Two will run at the same time, however, the Place One JP will only serve until 1956 and thereafter, from 1956 forward, he's going to serve or she's going to serve for a four-year term from there. The Place Two, in 1954, the JPs were also going to run for a, a, for their positions but their term was going to go from '54 to '58 and there after for four years, continuing on to the present. If you only had a one JP system, a single place JP precinct, it ran under that '54, '58, '62, and, and if you follow these out, and I've got the little graph, I'll turn it around to the public in a second, but I put a blank in here in the little chart and then it just shows you where we are today. The Place Ones are running on the '88-'92 schedule, '96, the Place Twos and all the ones that have a single JP, like your request on Number Five, the contemplated Number Six, would be running under '90, '94, '98 system, and that's, that's the basic concept that we've got to work with, and you might want to turn it around so the public can see it. Now here's, there is a case and Bexar County got into a big rigamarole on this, in 1988 and in fact, it went up to the Supreme Court of Texas, it's a case called "Shinolt vs Bexar County" or something to that effect, I don't have a copy of the site right with me, but essentially the Shinolt case dealt with a situation where Bexar County Commissioners' Court was trying to redefine some of these. They were trying to, to cut back some of the slots that were out there, because they didn't need some of their particular JPs, they were not being utilized to the full effect. So, they went in and tried to eliminate some and try to keep a stagger in it, in their own way. The Court came back in and in, in a rather interesting decision, I don't know how else to describe it, it said that the only way that a Commissioners' Court can delete a, a place from a two place JP system, is to eliminate Place One. You've got to eliminate the one that's on the, in the middle of the normal term, the one that goes from '88, '92 right now; and so, the op.., the only option available to the Court right now, is eliminating the Place Ones, so that's one thing you've got to keep in mind, is the

Supreme Court's kind of guiding that principle.

JUDGE RUIZ

David, let me ask you something.

DAVID MENDEZ

Yes sir.

JUDGE RUIZ

When you say eliminate Place One, does Commissioners' Court have the discretion to pick and choose within Place One or eliminate all of Place One?

DAVID MENDEZ

With, you can eliminate one of them or all of them and you look at each precinct, you've got, you know, four precincts, you could take Precinct One and eliminate Place One, if it wasn't necessary or there was, no person was going to, interested in running that, that next time around, or whatever. You could take Place One out of Precinct One and leave all the Place Ones in the other precincts if you want to do that...

COMM. SALINAS

But you can't touch Place Two?

DAVID MENDEZ

...but you can't touch Place Two.

COMM. SALINAS

Is that what you're saying?

DAVID MENDEZ

That's what I'm saying, because...

COMM. SALINAS

You've got to go with Place One first?

DAVID MENDEZ

...or only with Place One...

COMM. SALINAS

You can't say, well, we're going to leave Place One and we're going to eliminate Place Two?

DAVID MENDEZ

No, no you can't do that, that's the concept and that's, that is what is, what is a sort of an obstacle here, because Place One, because Place Two is the one that's like a normal, I'm sorry.

COMM. SALINAS

We're going to have a new set of JPs.

DAVID MENDEZ

It's like a single JP system.

COMM. SALINAS

New election in '92, everybody runs.

DAVID MENDEZ

Well '94.

COMM. SALINAS

'92, if you, well hold that election.

DAVID MENDEZ

Yea, yea that's a slightly different concept and again if you have a, a single JP system it is like if it is a, a Place Two and it always runs on the '90, from 1954 every four years, which would be the '90-'94-'98 concept, and, and that, when you have only one JP in a, in a precinct. When you've got two, it's the Place One guy, the Place One position, that was the stagger it was the one that was in the middle, it was built to be in the middle of the, of a regular term, and it still runs for four years, but it was on the '88-'92 cycle; and the law, according to the Shinolt case, which is kind of an odd case, but, I mean, that's what it says, says "if the Court, doesn't, doesn't get to pick, which place to take out, it has to always, if you're going to make, go from a two place system to a one place system, which is entirely within your discretion, but you only, you can take out the Place One. So, again, that, that's the first concept that, that we go through here and, and I

suggest to you that, if you create a place, a Precinct Number Six, which has only a one JP place in it, it should be, it will be a, as under the Constitutional provisions, on the '90-'94-'98 cycle, you know, the, like if it had a Place Two, if you want to call it that; and in fact your present Precinct Number Five has one JP in it and you'll notice that that's how that person runs. You may call him a Place One or whatever in there, but, he really is and, or she really is running on a, on the '90-'94 cycle; and that's a really difficult concept, but in, and the Shinolt case doesn't really give us a lot of edification there, but, I suggest to you that that is how that part works. The second part, that happens here is, okay, so we create a new Precinct Number Six, what and we're doing it in 1991, what are the options available to the Court right now, in 1991, to create it and how do you fill it? And, here's how that works out, under the Election Code, under the Local Government Code, you can create it to become effective today, you can create it to become effective in the future. So, you could, you could say there will be a Precinct Number Six coming up in the future and there's a limitation on how far into the future you can go; and it, the limit is this, you can not build a, or create a new precinct for the JP that becomes effective after January 1, 1993; and the provision doesn't say 1993, it says, it cannot be after the first day of the first year after your next General Election. '92 is General Election year, your limits are the January 1st, right after that General Election. So, you could create it and it doesn't have to be filled until January 1st, 1993 or you can create it today and appoint somebody to that vacancy, today, because you have the power to appoint, but, it's going to be up for election for the unexpired term from '92, December 31, 1992 through December 31, 1994, because that's the real term, you are going to fill that unexpired vacancy at the next General Election. It is available for somebody to file for election for that place; and that's, that's the tough concept there, but that's what happens.

COMM. SALINAS

Which would be in March of '92?

DAVID MENDEZ

March of '92, somebody, in the Primaries, somebody can run, place, can run for that, actually January 2nd, they can file and then go forward; and that's the concept you've got to deal with on your Place Six. Now, you've got a situation where you have and I think there's another chart that Noe and I kind of put together, my understanding is that you have a resignation that the Court's received, from a gentleman, from one of the Places.

COMM. SALINAS

What place is he?

DAVID MENDEZ

He's a Place Two.

COMM. SALINAS

You cannot eliminate him?

DAVID MENDEZ

I'm sorry.

COMM. SALINAS

You've got to eliminate One first?

DAVID MENDEZ

You would need to eliminate One first, regardless of what this person did. He's resigned and I think the name is...

COMM. SALINAS

Garza.

DAVID MENDEZ

...Mr. Garza. Mr. Garza's resigned effective October 15th, and here's, here's the situation, you now have a vacancy in that, in that spot and you can either appoint some., you, you, it's up to you to appoint somebody to replace him. I mean you fill those vacancies in accordance with the Election Code, but in 1992, that position is open for, at the General Election for a term of office for two years, to fill out the unexpired term. So, regardless of whether you appoint somebody today or you wait, you know, the, the situation is that since the person resigned prior to the mid-term General Election, the 1992 General Election, it has to be filled or it's available for people to file for mid-year, next year; and it can be filled, but the election is only for two years, I mean whoever wins it will serve out through December 31, 1994 and then in 1994 General Election, that thing is up again, but for the full four-year term; and that's the, that's sort of the same thing that you're going to be dealing with this new Precinct Six. A vacancy right now that has to be filled for two years and then they start running on a '94-'98 schedule or this vacancy that has occurred. It's identical legal concept, it's just one of them you're creating, if that's what you want to do, the other one has happened without any, it doesn't have anything to do with the Court. The person resigns, because of his own personal interests or whatever and that's the, the Election Code takes over and that's where you guys are on that part; and it would be entirely appropriate if there's, you know, if you were doing away with one of the precinct, uh, Place 1 positions and you needed to appoint somebody there, well maybe that's the person that would take over, but the thing I want to stress is that there really isn't any discretion. You can't appoint them all the way to the end of the Place Two term, you can't say, "we're appointing you for the unexpired term, all the way through 1994". Unfortunately, you can't do that. It has to be only through the next General Election and then that person or whoever wants to run for that office is, is able to under the Election law; and you know, that's, that's how that works, my understanding is that there, there is another Place 2, Rosel, that, that might you know might become open or something like that and that's, you know, a similar situation...

COMM. SALINAS

You've got to eliminate Corpus first.

DAVID MENDEZ

You've got to eliminate Corpus first; and, and again as you'll note there your Precinct Five position is listed under that Place Two, the '94 cycle, for one of a better way to describe this, but, those are the concepts that, that are available or, or, or that apply to this.

COMM. SALINAS

What happened back in 1972 and Mrs. Etnire, was here when the Court, here, eliminated something like maybe two JPs. At one time we had more than...

COMM. CAMARILLO

Sixteen.

COMM. SALINAS

I think we had...

COMM. CAMARILLO

Sixteen.

COMM. SALINAS ...sixteen JPs. The Court, that didn't happen back in '54, it happen back in 1971 or '72.

DAVID MENDEZ Okay

COMM. SALINAS I don't recall, well, when Judge Gomez was County Judge, he went ahead and eliminated a bunch of JPs and left the system that we have right here today; and I understand that the JPs they cut, they were from McAllen and I don't know where the other ones were from, but they cut a bunch of JPs and left the system the way it is here.

DAVID MENDEZ The system's correct the way it is...

COMM. SALINAS Yea, but how, if the law was back in 1954, how did the old Court...

DAVID MENDEZ Do it.

COMM. SALINAS ...in the '70s do, eliminated those, those positions and, and I remember clearly, cause one of them was Cruz Tijerina, from McAllen, that got eliminated.

COMM. CAMARILLO Commissioner, that was the time that they created District, or Precinct Five.

COMM. SALINAS They created Five. They created Five, yea.

DAVID MENDEZ Okay, that may be what, how they did it, I mean they must be going, they must have gone through a very similar gyration to, through what you all are having to do from an administrative stand point, you're trying to reconcile how the workload works and all that; and they must have gone through something very similar, I'll be glad to look at it, Commissioner.

COMM. SALINAS When you say, you have 150,000, you must have two JPs.

DAVID MENDEZ You don't have to, it's, you can have one.

COMM. SALINAS I understand, but you said a few minutes ago, each precinct should have or is required to have or should...

DAVID MENDEZ May.

COMM. SALINAS ...may have two JPs, with a 150,000 per precinct.

DAVID MENDEZ No, no the Constitutional provision...

COMM. SALINAS ----- population

DAVID MENDEZ I'm sorry, that's not what I, if that's what you understood, that's not what I meant. What I meant, what I meant to say and what, what the law is, is that if the population of Hidalgo County is in excess of 150,000 the Commissioners' Court may create two place JP precincts. May, and so, since you all are well over the 150,000 population, then it is in, you have additional powers given to you under the Constitution that'll allow you to create both one and two member Commissioners Precincts. There was a provision and that may be something that you, you might have been caught up with, is if you're under 150,000, and you have towns inside of your, of your County that have more than 10,000 people in them, then you are required to create JP precincts for those towns, that have two Commissioners in them.

There's a, there's a, there's a shell there, and, but that provision doesn't apply to you. If there are any questions, but those are the concepts, Judge and Court, that, that I've dealt with over the past couple of days and frankly they're, it took me a while to work this out. We have a little chart available, this is, that we've handed the Court and handed the public that show the one Justice and two Justice systems. This chart is copied straight out of the Shinolt case, and it kind of shows you where the.., yes sir.

COMM. SALINAS

The, the, the lines on the JPs and you can understand where we, where I'm coming from, where you talk about Precinct Two having 148,000 population with two JPs and you have a JP in the Delta Area with 20,000 people. Whether you change it or not or you create six, you leave what you have, don't you think that by law you have to create new lines?

DAVID MENDEZ

I don't think so.

COMM. SALINAS

On population? You don't think so?

DAVID MENDEZ

No sir, and for two reasons, one is that there is case law and there is the law is that equal, the "one man, one vote" principle does not apply to JP precincts. It has not been extended to that, to that, to that situation at this point and so that means that you don't have the same situation you had with the Commissioners, where if there is a material imbalance, if you're over ten percent, imbalance, you've got to agree to, that, that principle has never been applied; and the second reason is and I think more fundamentally is that the person is not in a representative capacity. The JP is not, he doesn't come to serve on a legislative body, like you do; and represent the people of his area and territory on County matters. What he does is fundamentally a different task. He's an arbitrator, a mediator, a rule handler for his people and whether there is one person there or, you know, many hundreds of thousands, his performance and his job is identical. On the other hand and very fundamentally your position and, and any of the other Commissioners, on here, you're representing, as a legislative body, the members from your community and it, and it's fair that the same, you represent roughly the same amount of folks. So, that your vote doesn't count more than the other Commissioners or less than the other Commissioners; and I think that is the fundamental reason here, and again, there's, there's discussions of this in the case law, there's a, you may be referring, however, to the recent Supreme Court case on District Courts, you know. There were several counties that were sued, because they hadn't, don't have single member districts for, for District Judges.

COMM. SALINAS

District Judges.

DAVID MENDEZ

The Fifth Circuit has not addressed, that is a very important case out of Lucius Bunton's Court, but the Fifth Circuit, the Supreme Court said, "Fifth Circuit you've got to draw how to, to ----- and see that "one man, one vote" applies and the Fifth Circuit has not ruled on that, at this point. So,...

COMM. CAMARILLO

Noe, can you turn that, that chart around, I want to ask Mr. Mendez a question. Let's say that in the case

of Precinct Three and Precinct Four, of course, by consent, that we appoint Precinct One JP to Precinct Two and eliminate Precinct One, of course, by consent, can that be done?

DAVID MENDEZ

Yes sir, no problem.

JUDGE RUIZ

Well, we'd have, I think to get a better picture for us and for, for the people here, we'd, we'd have to sort of go step by step, as to what we will have to do with each JP and I'd like to do that, David...

DAVID MENDEZ

Let me go through what my understanding is.

JUDGE RUIZ

Okay.

DAVID MENDEZ

You want me to do that, or you...

JUDGE RUIZ

Well, let me, if let's see if you can follow me, okay?

DAVID MENDEZ

Okay, let's try it.

JUDGE RUIZ

All right, our intent was, we have the elimination, the proposed elimination of Precinct One Place One position, which is Perez, Precinct Three Place Two position, which is Rosel and Precinct 4 Place 2 position which is Garza's position, at this point in time. Reason being, because we feel, at this point, that there may not be incumbency, okay and, and you know, looking at, I would presume, lack of incumbency at that point, the political decision, okay, because of the lack of the incumbency. Alright, for the last part, precinct, if we were to eliminate all of Place 1s, which is, that we will have to do to actually meet the lateral law. All right, we go to Place, Precinct One Place Two, which is Morales, what will we have to do to keep Morales in the position?

COMM. SALINAS

Which place?

DAVID MENDEZ

Nothing.

JUDGE RUIZ

All right, he would run in 1994, normally.

DAVID MENDEZ

Precisely.

JUDGE RUIZ

Okay, so Morales would not be touched, alright, then we have Precinct Two, at that point Place One, which is Ramos and Place 2, which is Trevino, now the way that we have redrew the line, was that Ramos would be moving to Place Six, or Precinct Six.

DAVID MENDEZ

Okay.

JUDGE RUIZ

What would happen there? How would we accomplish that?

DAVID MENDEZ

You appoint him, you create the Precinct 6 and you can either make it effective immediately or January 1st, 1992 or January 1st, 1993, it doesn't matter when you do it, but you could create it, the easy way to do this is you could create it today and it becomes effective and then it would be vacant; and you could appoint, Ramos, I understand, is from that area, you could take Ramos and appoint him to that, to fill that vacancy. He could resign the one he's holding or it's been done away with, it's actually, even if you did away with the Place Ones, as an underlying concept here, they're good

all the way through the end of their term, but he could resign that, if you wanted him to and put him in the Place Six. The thing is that it's up for election for its unexpired term, next year. He serves only until December 31, 1992, in 1992 he would have to run for, to fill it for its unexpired term from '92 to '94 and in 1994 you've got to run for the four years, and from there on it's on a four-year cycle. Yes sir?

COMM. ARCAUTE

But you say unexpired term?

DAVID MENDEZ

It's unexpired...

COMM. ARCAUTE

Why is it unexpired when it's a new precinct?

DAVID MENDEZ

...because it, you created it in the middle of a term. It's not, it's not a full, you didn't create it at the beginning of the, of a proper cycle. As you can see at the top of that list it's a 19.., if it's a single member precinct, single place precinct, it has to run on the '94, '90-'94-'98 cycle. You're creating it in 1992, 1991-1992, so it has an unexpired part and so you only fill it...

COMM. ARCAUTE

Maintain that staggered...

DAVID MENDEZ

Yea, you've got to keep it on that cycle and that's the reason that it would cause a person, who fills that place to have to run twice. One for a two-year term and then in 1994, have to be prepared to run again for, to get on a real cycle, on the normal cycle; and that's but that's the simple answer to that one.

JUDGE RUIZ

Let me ask you.

DAVID MENDEZ

All right.

JUDGE RUIZ

If we were to eliminate all, again, on the assumption that we're eliminating all Place Ones, okay, the effective date of elimination is what date?

DAVID MENDEZ

You, can eliminate it today, the effective date, that thing is open, that position cannot be reduced through the December 31, 1992. He serves out, these people right here, if you eliminated today, they serve out the term.

JUDGE RUIZ

They serve out their term.

DAVID MENDEZ

Yea, they can serve it out or they can resign and go somewhere else, if that's what you, what they want to do, you could place them somewhere else, but they serve out their term. There is nothing that would jeopardize these persons from finishing out their term.

JUDGE RUIZ

Okay.

RUBEN RAMOS

What about if you don't reside there in that, Number Six? He don't reside there.

DAVID MENDEZ

You have to reside in, in the Precinct.

JUDGE RUIZ

All right, so in essence, in, in, in eliminating Place One, the positions of Garces, would have no effect, the position of Trevino, would have no effect, the position of Morales would have no effect and the position of Jackson, would have no effect.

DAVID MENDEZ                   Actually, it's Garza, I think, sir.

COMM. SALINAS                   Garces, would have an effect. Garces and Corpus will have an effect.

DAVID MENDEZ                   Yea, Garza and Trevino and Morales.

JUDGE RUIZ                     Okay, so we're talking, what Morales, Trevino and Jackson will have no effect?

DAVID MENDEZ                   Yes, and you don't have, and I think Garza's resigned, so, it, I mean...

COMM. SALINAS                   But you cannot do away with...

DAVID MENDEZ                   You can't do away with it, no it stays.

COMM. SALINAS                   This is what you said a few minutes ago.

DAVID MENDEZ                   Yea, you'd have to fill it.

COMM. SALINAS                   You have to fill it.

JUDGE RUIZ                     So, in essence, Garces and Corpus and Ramos...

COMM. SALINAS                   We'd have to be doing away with.

JUDGE RUIZ                     ...would be running in 1992 for a two-year term and in 1994 for a four-year term?

COMM. SALINAS                   Actually, Mr. Ramos, which would be appointed to Place Six will run in 1994.

DAVID MENDEZ                   No, he'll run in '92 first.

COMMISSIONERS                   (INAUDIBLE)

DAVID MENDEZ                   Yea, because of the unexpired term question, but, but, you're right, that's, he'd eventually be on the '94 cycle, and that, yea, you could move this person and this person here and this person here through appointment and then this person, no, that's Mr. Ramos to Six, because I understand that's created, that Precinct Six is created out of part of Number Two; and you could do that and I would stress that these persons were already going to be planning if they were continuing their, their candidacy and continued to remain in office. They were, they would've had to of been planning for a '92 campaign. The only thing that we're changing here and I, you know, I don't know what the implications of that are, is that they'll run in '92, then run in '94; and then from then on they'll be on a eight-years, on a four-year cycle.

JUDGE RUIZ                     All right, David, let me ask you another question. If this Commissioners' Court were to decide to make it effective January 1st, 1991, which, is this the last date we have, or is it December 31st, the last date we have to make that position effective?

DAVID MENDEZ                   January 1st, 1993, '93.

JUDGE RUIZ                     The transition?

DAVID MENDEZ                   No, the, the...

JUDGE RUIZ                     Is there a way, David, to avoid, to avoid Corpus, Gar-

ces and Ramos to run in '92?

DAVID MENDEZ

No, no they have to run in '92, whether you keep Place Ones in place or you eliminate them and move them over.

COMM. SALINAS

They're all, but, they're all on the ballot anyway.

COMM. CAMARILLO

Wait, wait, wait, he's got a good point. That's the point.

JUDGE RUIZ

If we were appointing January 1st, 1992, then we're not meeting the ninety day criteria, for the March election.

COMM. CAMARILLO

That's the thing that I wanted to know.

DAVID MENDEZ

Well, the statute as I read it says, that if there is a vacancy within sixty-five days of the General Election.

JUDGE RUIZ

Sixty-five days.

DAVID MENDEZ

Yea, it doesn't run from the Primary, it runs on...

JUDGE RUIZ

We almost have January to do it.

COMM. SALINAS

The thing is that Garces and Corpus and Ramos are up in '92.

DAVID MENDEZ

That's my, yea...

COMM. SALINAS

They run for re-election in '92, whether we change them or don't change them. They still have to be on the ballot in '92.

DAVID MENDEZ

The difference is that they're running for four-year terms, right now, and if you...

COMM. SALINAS

Yea, but they would have to be running in '94, also.

JUDGE RUIZ

No.

COMM. SALINAS

Yea, if we change it.

DAVID MENDEZ

If you change it, they're going to run in '92.

JUDGE RUIZ

In other words, if we were to change it, Garces, Ramos and Corpus would be running for two-year terms in this, this March and in '94 again for four-year terms.

COMM. CAMARILLO

But, Judge, if we eliminate the, the number one position and, and appoint the number one to the number two, why do they have to run, when the positions are being eliminated?

DAVID MENDEZ

Election Code is pretty specific, about that. What happens, and this all comes from back, when Clements and White were changing jobs, back and forth; and what, what Clements was, was trying to do before he left, you know, office, was trying to hold off on appointing folks, till the last minute, to keep them, those folks from having to run in the next General Election; and it kind of worked out, that the Legislature came back the next session, didn't like the way that the partisanship had worked on that particular deal and kind of put in these provisions that say, if there is a vacancy prior to mid-year term, prior to the mid-year General

Election, mid-term General Election and right now '92 is a mid-term General Election for JPs, with one precinct; and for the, for the Place Twos, then you've got to run them. You've got to run them in the next one, it's only when they occur within sixty-five days, as I understand it, sixty-five days of the General Election day, that you, that you end up with, with appointments that'll carry over.

COMM. CAMARILLO

Let's move the General Election date.

DAVID MENDEZ

I wish we could, I've struggled with this and, and I had to chart it out, you know, fifteen different ways so I could understand it, but, if that's, that's the problem and I've got the provisions, I've given them to Noe and I can go over them with you, I'll, but it's the interaction of the Election Code, the Local Government Code and these constitutional provisions that makes this a very, very difficult concept; and, but, really what I stress is that all these folks in Place One, were going to run, if you put them over they will run, in '92, is the stress and, and expense and, and I assume other issues that come up in having to run on a two-year cycle, for one time, you know, they're going to have to run two years later, again; and I don't know how that plays in, in the community or whatever, but, it's, I mean, that's, that's what happens, if you do what you want to do. If you leave them the way they are, you know, well you don't have that, that concept, but, people will be running anyway, for four years. The Place Ones will be running anyway, so, that, that's you know, my assessment of it, to this point, any other questions, on that or...

JUDGE RUIZ

I think we've got a pretty clear picture of what needs to be done...

DAVID MENDEZ

Thank you and again I appreciate...

JUDGE RUIZ

...to accomplish what we want. Okay, Commissioners, as a recap, as you can see, that the law pretty much dictates that for us to eliminate any position, in the JPs, now and in the future, would be that we have to eliminate, we are restricted to eliminate Place One positions, okay. In an effort to, to come up with the plan that we have proposed, at this point in time, again, Judge Morales from Weslaco, would be running in '90, 1994, which would be his regular term, Judge Trevino, from Pharr, would not be affected, he would run in 1994, in the regular term, Judge Corpus, which was one of the positions, that would be eliminated, okay, who would have run in 1992, anyway, would be running in 1992, but will be running for a two-year term. He would again run in 1994, for a four-year term. Judge Garces, who, again, will be running in 1992, would be running for a two-year term and running again in 1994 for a four-year term. Judge Jackson, there is no effect on him, he would be running in 1994. Judge Ramos, again would be running in 1992 for a two-year term and again in 1994 for a four-year term; and that would be, and in the meantime, Commissioners' Court would be appointing these individuals, because we would be expiring, primarily, Corpus, Garces and Ramos. In other words, we would be eliminating their positions, totally, and we would be, at the discretion of this Commissioners' Court appointing them again.

COMM. SALINAS If they have the votes in Commissioners' Court?

JUDGE RUIZ If they have the votes in Commissioners' Court, because that is the discretion of this Commission.

COMM. CAMARILLO If we do adopt this plan, then the whole six JPs, will be running at the same time.

COMM. SALINAS No.

JUDGE RUIZ No.

COMM. CAMARILLO Yes.

JUDGE RUIZ Morales and, and Jackson and Trevino would not be running, in '92 or they would be running in '94. The other three would, that's where the stagger comes.

COMM. CAMARILLO Okay, but once they're all, already in place, after the elimination of the, of the three that we're talking about, they will all be falling in the same...

JUDGE RUIZ No, in 19...

COMM. SALINAS '94.

JUDGE RUIZ In 1994, all of them will be running.

COMM. CAMARILLO Yes, that's what I'm saying, all of them will be running at the same time.

JUDGE RUIZ To appropriate the stagger.

COMM. SALINAS But, Trevino and, and Trevino and Morales will be running for four-years and the other ones will be running for two.

COMM. CAMARILLO Yea but, after '84, I mean '94, they will all be running at the same year.

JUDGE RUIZ AND At the same time...

COMM. SALINAS Some for two and some for four. Some for two and some for four.

COMM. ARCAUTE In other words, all of them will be on the ballot, only, some, and they will all be for four years...

COMM. SALINAS No.

COMM. ARCAUTE ...but some of them will run for two years, is that what you're saying, Commissioner?

COMM. SALINAS Yes.

COMM. CAMARILLO No, I'm saying that after '94, according to what I understand, all of them, all of the six JPs will be running for a four-year term.

COMM. SALINAS No, no, no.

DAVID MENDEZ He's right.

COMM. CAMARILLO Yes.

COMM. ARCAUTE Yea.

DAVID MENDEZ He's right.

COMM. ARCAUTE Yea, that's what I'm saying...

DAVID MENDEZ All we're doing, all we're doing in 1992...

COMM. ARCAUTE ...they'll all be on the ballot.

DAVID MENDEZ That's right, all we're doing in '92 is catching them up. Filling up unexpired terms for those, for the Number Six and for the ones that resigned.

COMM. SALINAS Everybody would be running for...

COMM. ARCAUTE Yea, all six will be on the ballot.

COMM. CAMARILLO That's right and from there on all of them will be on the ballot.

DAVID MENDEZ Precisely, he's got, that's the concept.

COMM. CAMARILLO They'll all be running at the same time.

JUDGE RUIZ Because the staggering, the law says to stagger One and Two. Once you have all two, they can run all together.

DAVID MENDEZ That's right, and that's what the problem with this Shinolt case, the staggering they were talking about, about keeping all the JPs together is you stagger JPs and Constables. Constables run in the '92s, will be running in the '92s and JPs will be running in the '94 and, and that's where you keep it; and that's the same thing that happens with Commissioners, you know, you guys are staggered and so, that's what Articles 16 Section 65 tried to do, is put all of the officials on this on that stagger; but all the JPs, with one precinct, I mean, one place JPs will be running together, I mean, the same time, for four-year terms; and that, all we're doing is catching them up, Mr. Salinas.

COMM. SALINAS Has anybody, for the sake of the group that's here, told them why we're, why we're discussing this and why we're cutting three people? We want...

COMM. CAMARILLO Can you answer a question for me?

DAVID MENDEZ Yes sir.

COMM. SALINAS We, we want the public that's here today, to understand that we're not cutting three people, because we feel like cutting three people, and there are some reasons why this Court has, has accepted this plan, that the Judge has, in cutting three people, simply because of a budgetary problems and, and the subsidi., subsid., subsidizing of the JP Courts; and the amount of people that, that have, the amount of small communities that have municipal courts. Example, in our precinct, you know, we have a municipal judge in La Joya, we have a municipal judge in Palmview and we have a municipal judge in Alton and we have a municipal judge in Mission, where it's all urbanizing. Where the allocation of the revenues from the JPs have lowered and this Court and this, the taxpayers having to be subsidizing the amount, I mean, subsidizing the courts, the JP Courts. With, with the cutting of three JPs it would come down to about a normal situation, where the County would not be making any money, but would not be losing \$250,000

the way we are right now. There are some reasons behind all discussion, which I'll, I want the public to understand why, we're not doing it because we want to cut.

DAVID MENDEZ

Yea, I, I certainly don't intend and I hope that, that the thrust of my presentation is showing you what the legal impact is. Obviously, there, there are a lot more important and practical reasons, as to why we're doing this and again, I, I may, I don't know all the reasons. I've read that account, in the paper that said that it would save in the neighborhood of a quarter of a million dollars; and you know that sounds, you know that's the type of thing that you all deal with.

COMM. SALINAS

Yes.

DAVID MENDEZ

And I didn't mean to overshadow or minimize the, the reasons why you're doing it, I'm just trying to show you how you do it, but again, yes sir?

COMM. CAMARILLO

Since I've been in the Commissioners' Court, there has been one resignation of a JP, and what we did in that case, rather than appoint it to somebody and it was similar to this situation that we have now, it was close to the election time. Did we do wrong by staffing the, the existing JP and giving him, additional staff to continue the duties of the JP that, that resigned.

DAVID MENDEZ

No, that's entirely up...

COMM. CAMARILLO

Can we do that?

DAVID MENDEZ

That's entirely appropriate. I'll tell you one little quirk that's out there and I don't know how it fits in, I was talking to Noe, about this, before the Commissioners' Court meeting, I was hoping this question would come up, but this a tough question. Article 16, Section 65, the very last paragraph says that, well, let me start on an up, there's another Article, in Article 5 of the Constitution, it says that when a public officer is elected, he is the public officer. He will be JP until he is replaced, by a qualified person. So what happens is, even when somebody resigns, they remain JP until you guys put somebody else in their place; and the name, title, the public office still remains with that person and that's a, there are cases on this, you know and they continue to get paid until you put somebody else in their, in their position.

JUDGE RUIZ

So a decision to not fill the vacancy, even though the person has resigned would keep them as JPs...

DAVID MENDEZ

Yes.

JUDGE RUIZ

...by law.

DAVID MENDEZ

Yea, now here's an interesting scenario, and here's and interesting, that's the way the law works, now and, and the reason, there's a good reason for that is to try to, because, once the government wanted, felt like, once you elect somebody in, he as a fiduciary obligation to fulfill his obligation to the community, until the people that have the power to appoint someone else take that off his hands, you know, and, or her hands; and the, the thing that kind of interplays with this

is kind of tough, and I don't know how you work it out is, the Article 16 Section 65, the last provision says, that when you announce to run for some other office, you automatically lose the, resign from the one you are holding...

COMM. SALINAS

Yes.

DAVID MENDEZ

...and what I don't know and I was just thinking about this last night, it kind of kept me up, but, I didn't have access to a library here, when I was driving down, but it seems to me like, what happens if the, what's the interplay between the two provisions. If somebody, let's say, is automatically resigned, because he's going to announce to run for some other office, but yet hadn't been replaced by you all, what, what's the effect of that on, on his position and I don't know...

JUDGE RUIZ

You're giving us a lot of ideas, you better stop.

DAVID MENDEZ

That's a hard position and again, I apologize, 'cause I don't know the answer to that.

JUDGE RUIZ

I understand. Did you catch that, Beto.

COMM. CAVAZOS

Judge, I'd like to say something, we have a lot of people here and I would like to, for you to give somebody an opportunity to explain their opinion, one way or the other. I'm sure there's a lot of people here that are, that are here for one purpose. 'Cause you are interested, so, I would like for you to give somebody, that wants to speak, to say something about the, this thing that we're discussing, this morning.

JUDGE RUIZ

We plan to, Commissioner.

COMM. CAVAZOS

Okay.

JUDGE RUIZ

All right, ladies and gentlemen, you have heard the presentation, the legal presentation in terms of how to go about accomplishing what we had proposed, okay. Again, comments made by Commissioner Salinas, was where did this begin, why was, why did this Commissioners' Court actually even consider the reduction of JPs in this County. I think two very primary reasons in, in terms of what we envision and project as the growth of civil cases in JPs and what we envision in, in projections of decline in fines and forfeitures. For the last, three to five years, ladies and gentlemen, the JP process, that we have or process that we have in this County, in terms of fines and forfeitures, County Government, through its General Fund, has not grown to be a break-even point. Let me give you an example, after this meeting we will go into some budget preparation, towards getting a budget for October 31st, 1991. Right now, the requests for the funding of nine JPs, when you put all nine budgets together, for JPs, the total request is \$831,000.00. The revenue that is being projected, the revenue that is being projected through fines and forfeitures, for the nine JPs, is \$470,000.00. So, in essence, if we were to approve the budget that's being requested today, and the JPs, based on history, comply with the revenue that is projected, County Government would be subsidizing the JPs by an amount of \$360,000.00. \$360,000.00 of the General Fund money is close to half a penny in taxes. A half a penny in taxes, okay. So, you can see that the

concern of this Commissioners' Court, first of all, is in economics, it's in monetary. The down side is that, well, let me, before going to the down side, why is this happening? Is this a reflection on the work of the JP? No, it's not. The JPs are in their offices doing their job. The problem is that the large majority of the monetary fines and forfeitures that comes to the County, comes primarily from DPS and the Alcoholic Beverage Commission, okay. DPS is being hindered from giving more fines and forfeitures for various reasons. First of all, our urbanization, every city in this county is growing. Every city in this County is annexing more property. There is less and less rural area to patrol. Although, urbanization, in the rural areas is happening, there is more people in the rural area, the area is less. DPS primarily targets the rural area simply because all cities have their own law enforcement. You have growing communities that normally were rural, like Alton, like Palmview. We have a present petition that Progreso is going to incorporate, eventually they will have their law enforcement, eventually they will have their municipal judge. DPS will, at their discretion, if they give a fine, within their municipality, of a municipal judge, the area of a municipal judge, they will file the case in the municipal court. So, consequently, that fine, that revenue goes to the city, okay. Secondly, is a safety problem. The times that I've been stopped by a DPS is because I have been driving north on the Expressway, an example, and he's coming south, okay. So, what does DPS, do? It goes across the grass, on the median, cuts to the other lane and goes and catches up with me. That is being deterred by a fence that is being built all along the Expressway. DPS cannot longer cross the median. Really silly, that's the truth, DPS is concentrating more on DWIs and reckless driving by getting behind you versus trying to stop you coming towards them. That has a very serious effect on our revenue and yet, revenue is being depleted on a day-by-day. On the down side, is that as we urbanize, civil process grows. There are more civil cases, in JPs, than ever before. Why? Again, because of urbanization, because of urbanization. Bad check, evictions, rental problems, business concerns, because of urbanization the civil docket of the JPs normally grows, because of urbanization; but there is a balance, civil process, the large majority of it, is handled by staff. A civil decision by a JP would normally take ten minutes, because it's a decision based on facts and figures, based on paper, okay. Now, we think there is a balance between the reduction of fines and forfeitures, plus the increase in civil, and we feel that six JPs, can serve our community as well as nine. In the meantime, it will save this County, approximately \$230,000.00 in revenue. So, based on that, that is of right now, of the opinion of Commissioners' Court and that's why we are proposing this plan. At this point in time, I would like for any individual, any resident of this County, to, if they have any comments for or against this plan, to please come up, state your name, and we will hear your comments.

COMM. ARCAUTE

(INAUDIBLE)

JUDGE RUIZ  
point

Yes, what Commissioner Arcaute does, does make one

that, I think we have failed to mention, if we are to create that sixth JP, there is a need to create one

Constable, to service that JP. Even with that fact the savings would be \$230,000.00 to this County, even with that fact. So, there will be, if we were to adopt this plan, on six JPs, we would have six Constables, at this present time we have five, okay. Comments? We've got time. Judge Garces, come on in.

JUDGE LUPE GARCES

Good morning, Commissioners.

COMMISSIONERS

Good morning.

JUDGE LUPE GARCES

Judge, and the members of the community, I was in the impression, early in the week, that you all were under the impression, that I had agreed to this proposed plan, am I correct? That I had agreed on it. Well, let me correct you, I'm not.

JUDGE RUIZ

Okay.

JUDGE LUPE GARCES

Okay, I'm just standing up for the people in my precinct and also I'm looking at the practicality behind it, and most of you all know I'm very much involved with the juvenile crisis that we have here in Edinburg and also throughout the Valley. Putting these two Precincts, #69, #43 in Precinct 5, quickly, will put the Judge, within Precinct 5, hearing cases from School Districts from La Villa, Edcouch-Elsa, Weslaco and also Edinburg. These are truant cases, criminal mischief cases, who are, the time with these kids, takes about, not ten minutes, Judge, but close to an hour, hour and a half, and that's speeded up and you have three more cases to hear before five-thirty, six o'clock. That's one of them. Another one is implementation of Four going into north McAllen, I agree with that, I don't have no problem with that, what I see here is good, I am originally from North McAllen and I'd be happy to go back and service, but to give me and then to take away and we're dealing with a, what 65,000 to 85,000 deviation?

JUDGE RUIZ

Uh-hum.

JUDGE LUPE GARCES

Staying as it is, we can just where you want it, as far as the mandate of the amount of people in that precinct; that's another practicality. Also, by mentioning revenue, to us Justices, we don't talk about revenue in the Courts, we don't discuss it amongst ourselves, when we get together at seminars, we are not there to create monies for the, for the Commissioners. Now, I can understand your problem, fine, yes and we are with you on this. We are going to service our people, whether it's with a fine or a decision on a civil case, whatever it might be, but we're not going to go out and quota ourselves on a monthly basis, for nobody. Simple and to the point.

JUDGE RUIZ

Judge.

JUDGE LUPE GARCES

As far as a decision about abolishment, that's going to be your baby, we can talk about it later if you want. In my opinion, but I'm just worried about the Precinct Four situation right now.

JUDGE RUIZ

And I don't think this Commissioners' Court hasn't ever mentioned any quota either.

JUDGE LUPE GARCES

Okay.

JUDGE RUIZ                    Okay, but we do deal with your salary increase and your amount of staff that you want and knowing the, the type of workload that you have. In your comments of Precinct #43 and #69.

JUDGE LUPE GARCES            Yes.

JUDGE RUIZ                    I mean their east side is serviced a JP, do you see a problem in Precinct Five, serving #43 and #69?

JUDGE LUPE GARCES            No, just the fact that I would be the JP servicing, that's about it.

JUDGE RUIZ                    In other words, you would preface on servicing them versus...

JUDGE LUPE GARCES            I took oath, exactly, I took oath in '89 and I ----- and that's what I'm basing my comments on, basically; and the fact that it could easily have gone south instead of west, but, your decision, you make it and we're going to have to deal with it and after the dust settles, we'll work together on it. I just want you to know where I come from.

JUDGE RUIZ                    In your comments, of going south, we could go, what you're saying is the Delta Area could service more somewhere in Mercedes, Weslaco or Donna?

JUDGE LUPE GARCES            Well, yea, there's a point in Precinct #69, in the corner of 281 and Monte Cristo, right by the Cattle Baron, practicality again, right, that'll put you about 30 to 45 minutes from Edcouch-Elsa and I've heard cases from those businesses, that's what I'm saying, practicality, again. It could easily be in what, Precinct One in Mercedes, going up, the same thing, it, you know, either, if you give Precinct Five on the southern portion or the north portion of Precinct One to Precinct Five, they're still going to have to, you know, have a long drive.

COMM. SALINAS                Do you have any problem with the elimination process?

JUDGE LUPE GARCES            The only thing that I can think of, right now, is the caseload, in the McAllen area, in dealing with the civil cases, having time as one JP, per precinct. That's the only thing that comes up, right now.

JUDGE RUIZ                    Judge, you understand that the alternative plan, to this, is that you would be serving McAllen, all the way to Expressway, around 83, because you would be following County Commissioner line precincts. In other words, not only would you be serving North McAllen, but you would be serving South McAllen.

JUDGE LUPE GARCES            Yea.

JUDGE RUIZ                    In fact, 47% of your precinct, well no, if we give up 43% of your, #43 and #69 to the Delta Area, then you serve the remaining balance of Commissioners...

JUDGE LUPE GARCES            Do the Commissioners...

JUDGE RUIZ                    ...Commissioners' Court decision, probably McAllen will be over 50% of your, of your population.

JUDGE LUPE GARCES            Yea, I understand that. The reason I'm here is just to let you know that I'm not in favor of this plan and

just you all know, 'cause I had a strong sense of, of understanding that you all were in agreement or you all thought that I agreed on that and I'm not.

JUDGE RUIZ

Would you be in favor of the other plan?

JUDGE LUPE GARCES

An amended version maybe, yes. I submitted my plan, before Juan Maldonado and it included #66, let me see if I get this right, #66, #67 and #62; I think will put it right around the 495 area.

JUDGE RUIZ

And what will you be giving to Precinct 5.

JUDGE LUPE GARCES

Nothing.

JUDGE RUIZ

You just keep them as they are, in 20,000 population?

JUDGE LUPE GARCES

Well see, that's what I'm saying. I'm worried about my precinct, just like Judge Jackson is and we have a very good working relationship, don't get me wrong, I'm just standing up for what I believe in and he is trying to get what he believes in, too.

JUDGE RUIZ

I understand, I'm just trying to get the...

JUDGE LUPE GARCES

You bet you, yea, what I submitted was taking three more precincts and at the time that I discussed this with the other JPs, we're trying to help out Precinct 2, cause they had a 145,000, and we're seeing ways of cutting up on north, west and east side to bring the count down, at that, that's when I submitted my plan. Taking in McAllen and not giving up anything.

COMM. ARCAUTE

Judge, I just have a question, on one of the comments that you made.

JUDGE LUPE GARCES

Sir.

COMM. ARCAUTE

You said about taking from one to get to the other.

JUDGE LUPE GARCES

Okay.

COMM. ARCAUTE

Are you referring to about shifting more or less?

JUDGE LUPE GARCES

As far as what, the...

COMM. ARCAUTE

Shifting some precincts, from the present configuration as to the proposed one?

JUDGE LUPE GARCES

Yea, I got the sense that the reason Precinct 5 as a tool to remedy one, two and three, maybe three precincts okay and when I drew up my figures, it put me right around the 79 to 81,000 and I always had that impression that you needed around 80,000 to come up with the compliance of the Census, that we're working on.

COMM. ARCAUTE

Yea, the reason that I bring it up, is this, because this is what happened with the Commissioners reapportionment.

JUDGE LUPE GARCES

Okay.

COMM. ARCAUTE

We just did alot of shifting, which I always thought, it was unnecessary, so...

JUDGE LUPE GARCES

Okay. Questions, Commissioners?

(09/27/91)

23

- COMM. SALINAS Do you have any problems with the elimination process and do you have any problems with running in '92 and '94?
- JUDGE LUPE GARCES I'm running in '92, regardless, so, I don't think I'll have a problem with that.
- COMM. ARCAUTE Okay.
- COMM. SALINAS No problem with the elimination process?
- JUDGE LUPE GARCES No, not at all, so long as you address it properly and in a timely fashion, that's all I ask. Anything else?
- JUDGE RUIZ Thank you very much.
- JUDGE LUPE GARCES Thank you all for hearing me out.
- COMM. ARCAUTE Thank you, Judge.
- JUDGE RUIZ Judge Jackson.
- JUDGE E. JACKSON Judge, Commissioners, I'm here before you to let you know that I am ready to take on the challenge if I have to take on those other two precincts. Judge Garces and I, we work real close, as well as the other Judges. I feel that I'm up to it, if, as far as the school districts, yes I would have La Villa, Edcouch-Elsa, Edinburg, Weslaco and Donna, also; but it's part of the job and I'm ready there to serve them; and I have no problem, if I have to move that way. I am part of the County and I must do my, my share to provide as much service as possible.
- JUDGE RUIZ Judge, let me ask you, if, looking at history, because the JP is, there's been a JP in the Delta Area, for the past fifty years, okay, although it, it wasn't called Precinct Five, until 19.., 1970, okay, or '71; and you being from the area, we have an intent of trying to keep community of interest together and basically that was of the decision that was held by this Commissioners' Court. That the Delta Area, Monte Alto, Hargill have community of interest, that's why we call it the Delta Area.
- JUDGE E. JACKSON Right.
- JUDGE RUIZ Okay. Who do you have something in common, do you have something in common more with San Carlos, Precinct #43, or do you have more in common something with Precinct #1, in Mercedes, or is it Precinct, in Weslaco. Where do you think the common ground is between the Delta Area and a neighboring city?
- JUDGE E. JACKSON Okay, did, talking about the Delta Area, as a whole and Edinburg, as a whole, the common interest is there. As far as shopping and travel, the majority of the travel is done toward the west, toward Edinburg. I strongly believe that the common interest would be west and north of the Delta Area and also, in doing so, I wouldn't go into a municipality that is already has their common interest with the other municipalities, right there close to them.
- JUDGE RUIZ Splitting other cities.
- JUDGE E. JACKSON Right, and diluting their, their ability to have their

own JPs in their area.

COMM. CAMARILLO

You don't feel that the Delta shopping concept, travels more to the south than to the west? Going towards Mercedes and Weslaco, Progreso, Las Flores?

JUDGE E. JACKSON

No sir. I strongly believe that especially toward the Mercedes area, they do some shopping in Weslaco, but that would be, to my way of thinking, out of the question, because that would split that precinct, but most of the shopping, most of the work is headed toward the west and then towards this other area, but...

COMM. CAMARILLO

So, you strongly believe that the Delta Area shops more to the west than to the south?

JUDGE E. JACKSON

Yes sir.

JUDGE RUIZ

Any other question?

COMM. ARCAUTE

And that makes it community interest, or what?

JUDGE RUIZ

Well, I mean...

COMM. ARCAUTE

I have some problems with this term "community interest" a term that's a reason probably for the first time, since I remember, and I've been at this twenty years; and I do remember that, that one of the, the goals or for all the cities in this County has been and we talk about the Rio Grande Valley, to be exact, about a region, about a region. A common interest, to be looked at as a region, no longer as individual cities or, or counties or whatever; and I relate that to the same thing, which is voting precincts within a county; and if we are ever and I don't know what it's going to take for us to get out of the, this concept of "no, you're going to split my city". So you split my city, now I've got two representatives, instead of one. I thought that would be an advantage and yet everybody screams when they're going to split their city and all that; and I, I just wanted to make that point, because this, this term "community interest", it bothers me, I think it's doing more harm than good.

JUDGE E. JACKSON

Commissioner, in the Delta Area, I think it's unique in a way, because, we are ten miles from Edinburg, ten miles from Weslaco and Mercedes area. We are basically an agricultural area, over there and that is what...

COMM. ARCAUTE

I didn't say this to make it a, an argument in point, I just, I just wanted to make this point, because this is the first time it has surfaced, since we started the redistricting process, as far as the hearings and the, and the for the Commissioners' precincts.

JUDGE E. JACKSON

Right.

COMM. ARCAUTE

This is the first time it comes up, in the JP, and I'm referring to Judge Garces' comments, more in particular.

COMM. SALINAS

You have any problem with the elimination process?

JUDGE E. JACKSON

No sir. If it's going to serve the County best.

JUDGE RUIZ

Okay.

COMM. SALINAS Thank you.

JUDGE RUIZ Thank you, Judge Jackson.

JUDGE E. JACKSON Thank you.

GILBERT CABRERA I would like to make one comment, if I may.

JUDGE RUIZ Mr. Gilbert Cabrera, please come up.

GILBERT CABRERA I appreciate it for the, I really appreciate your allowing me to speak. I think it's a good concept, if the right direction the Commission will take, if you accept this concept, I believe we'll reduce the amount of expenditure we're spending in the County, reduce taxation and that way it will have the right representation, in each precinct; and it will be favorable, like Precinct Six, we'll have an individual from that area; and I appreciate your allowing me. Thank you.

JUDGE RUIZ Thank you, Gilbert.

ALCARIO SAMUDIO Good morning, Judge, Commissioners.

JUDGE RUIZ Good morning.

COMM. CAMARILLO Good morning.

ALCARIO SAMUDIO My name is Alcarrio Samudio, I am one of the candidates that's being affected by your termination of one of the JP positions. I did submit a letter, I would let the letter stand. However, I want to make a couple of comments. I guess the thing that I am most opposed to is, even if I was to think like you think, about, that we're saving money. I think that, I think it's wrong, that the Commission look at the JP position as a revenue, as, as a store, if that is the position why it's not the Highway Department or the County Highway Patrol, or those positions being viewed as revenue officers, also; and I guess they disagree with that being just a purely economic plan. The timeliness, the timeliness is way out of line. This, you know, I, I have heard about this redistricting for awhile, I attended one full meeting of redistricting, redistricting and half of another, I was late. I was assured by the Committee that was put together by the Commission, here and I was assured by them and I was assured by County Judge Ruiz's office, that the JP and Constable positions were not going to be affected and we had, had a plan put together. If in fact, we were going to be looking at redistricting, we would submit a plan, but since we were assured, way back then, that they were not going to be affected. That there was not intention of moving any lines or eliminating anybody, we did not submit any plans; and, you know, it's, again, we're talking about the timeliness, it could've saved a lot of people a lot of headaches, we don't disagree with saving money, we only disagree, we're residents here, too, and we're taxpayers; and we've been around for a long time. The, the JP positions, in One, Two and Five, are all in the same town and Commissioner Camarillo brought it up, it's, I think, it defeats the purpose in the overall, in the staggered positions to have everybody running at the same time, anyway. If, if you start looking at it, you know, for instance, the way it is right now, you have the one and two positions, one is in while the other one is out, and it gives at least one, one expe-

rienced position in there, while the other one catches up and goes through training. Even, if we were to follow this plan right now here, the one, two and five positions would all be, are all new; and at the same time. I, it just doesn't make sense, politically. The, the other part that I, also worries me is that for a long time growing up and fighting injustices, not just here in the Valley, but across this country, where I've been, it always, one of the things that I al., I always feared is that, when we start fighting for the oppression that we're suffering and if we ever get to and a level that we don't feel that we're oppressed by the people, the majority of the people, and that we find equality and equity at some place, then what are we going to be doing. We, as the Hispanics, what are we going to be, we're looking for another minority to, to oppress; and this is the way we feel right now. I, as a candidate, feel that, that there should have been more thought put into this, as far as the timeliness, is concerned and I'm not, I'm not bitching about the money, that I've already spent in this campaign, but I think that somewhere along the line, you had a duty and a moral obligation to have put this word out. You, you are elected officials, somewhere along the line, this discussion should have taken place a long time ago and it would have saved a hell of a lot of people, a lot of problems. Thank you.

JUDGE RUIZ

Thank you.

ALCARIO SAMUDIO

Any questions? And of course I am opposed to the elimination of the three JP positions. I think that the people that are there, right now, are overworked, I for once, for one in, in the JP position that Jesse Morales now holds, that precinct has approximately 80,000 people compared to the Five, which has, even with the ones that are being given to them, 30,000 people. Now, if that's what you call equal, there's something wrong with you folks.

JUDGE RUIZ

You're saying, we should reduce it more? In population?

ALCARIO SAMUDIO

In that, yes, or get a second position in there.

JUDGE RUIZ

If we were to move...

ALCARIO SAMUDIO

There's no other one, that size.

JUDGE RUIZ

...JP Trevino, we would move it into Donna.

ALCARIO SAMUDIO

Sure, or Jackson.

JUDGE RUIZ

More or less...

ALCARIO SAMUDIO

Sir?

JUDGE RUIZ

Maybe split down along the middle.

COMM. ARCAUTE

Or bring Five down.

ALCARIO SAMUDIO

Or bring Five down.

JUDGE RUIZ

Into Mercedes or Weslaco?

ALCARIO SAMUDIO

Either one. Of course, that's not my, that's not my recommendation. My recommendation is if you keep the two positions, in there.

COMM. CAVAZOS Are you for the old plan?

ALCARIO SAMUDIO I'm for the old plan, the way it used to be. I don't think that the saving, that the savings that you folks are talking about is going to outweigh the problems it is going to bring.

JUDGE RUIZ Any other questions for Mr. Samudio?

COMM. SALINAS He answered mine, so...

ALCARIO SAMUDIO Sir?

COMM. SALINAS You answered mine, you're against the elimination of the two JPs.

ALCARIO SAMUDIO That's right. Thank you.

COMM. SALINAS Mr. Torres is running for what?

RENE TORRES Good morning.

COMMISSION Good morning, sir.

RENE TORRES My name is Rene Torres, I'm here on behalf of the Edinburg CISD. I'm here to raise some concerns, but first of all, I do want to compliment you all. You are using proper business sense, you're looking at basically, getting rid of a deficit, in essence; and that is proper business sense, and I compliment you on that, too. Also I do want to compliment you, too, also, Commissioner Arcaute, in the situation that has arisen with community awareness and community concern and such. If anything, yes we have to look at the whole region working together, that's understood. The Rio Grande Valley, altogether, the other counties working together, but in raising that issue, in essence, I hope what you're doing there is holding people in public office, more accountable to the constituency, so that yes, if there is more than one person in a certain area, that they both work closely together, to be held accountable. Now, the reason I'm here is in regards to, the proposed situation, here on Precinct Five, including #69 and #43. Now, I understand the situation and I understand how you're trying to go and comply with population. Again, keeping in mind with JPs, it's not "one man, one vote" situation on the precincts, but I do understand, you want to have it compatible amongst the different precincts and that's understood, and it's well workable. I do want to raise concerns, though, concerning the Edinburg School District. We stretch quite a bit, we cover approximately 985 square miles of the County. The County is what, approximately 1,500 square miles, we do cover a lot of area. Our school district stretches all the way to Hargill, now admittedly Hargill, is already being serviced by Precinct Five, but we're looking at the area of #69, which is Faysville, traditionally Precinct Four. We're also looking at the area #43, which is the expanse of 107 east of Edinburg. I'm not here to go ahead and undermine the integrity or the capabilities of the JP in Precinct Five, Speedy Jackson, I'm not doing that at all, I just want to raise some concerns, here. I am very strongly involved with the community, I am strongly involved with the school district, since before I began working with the school district I was involved; and I do understand where JP Garces is coming across with, talking about

the support system, the structure that is involved through the Juvenile Court Conference Committee and other referral systems. That has to be addressed. The civil docket, yes, as the Judge stated, will increase with urbanization, it already has begun. Consequently, that issue has to be addressed, too. Again, I'm not stating that I am against the plan, I just want to raise these concerns and I want you to address them. I understand the line that you are taking in this re-districting process, because of the population and again, that's commendable, but keep in mind, those concerns. We are looking at basically physical logistics here. On the average, from Faysville, you can drive into Edinburg, in ten minutes if they have to drive further in, well then again talking about a community awareness, we're going to have to hold them accountable and rest assured, if the plan is held, Speedy Jackson, will be held accountable for the concerns of the Edinburg School District, because I am looking at La Villa, Edcouch-Elsa, Monte Alto, Weslaco and I've stated the other school districts involved; and only a portion of the Edinburg School District. So, yes, I'm here on behalf of the Edinburg School District and this is why I wanted to raise those concerns; and if you will, keep this in mind, too, I know fiscally this is what you're looking at, as a direction to take, as the barometer to measure what to do; I understand, you're running a business, you're having to run a corporation, here and you don't want to stay in the red, but keep in mind that delivery of services, this is what is essential, not only to the school, but to the families' concerned here. The delivery of services and this in essence, with that last statement, overlaps into the elimination of the other JP position. The delivery of services, there's a bottle-neck that will be created, regardless of whatever optimistic outlook you take, there will be a bottle-neck; and yes, it is an outlet as a possibility to state that the municipal court system will be able to handle some of that overflow, but they will not handle the civil cases and they will handle what is in the city. Again, my concerns being Precinct Four and the Edinburg School District area, we have, we will have six schools in rural areas. They will not be handled by the municipal court. Thank you.

JUDGE RUIZ

Thank you, Mr. Torres.

RENE TORRES

Any questions?

COMM. CAMARILLO

You know, Hargill has always been part of Precinct Five...

RENE TORRES

Exactly.

COMM. CAMARILLO

...okay.

RENE TORRES

Yes sir.

COMM. CAMARILLO

...and, and you raised a concern about the additional schools within the, the Edinburg School District, okay. Two, three years ago, there was an elementary school built in San Carlos...

RENE TORRES

Right.

COMM. CAMARILLO

...last year or earlier part this year, another elementary school was built in the Monte Cristo area.

RENE TORRES

Right

COMM. CAMARILLO

What kind of problems would arise from these two elementary schools, that, that you have to have the assistance of a JP?

RENE TORRES

Unfortunately, and this is something that admittedly any school district would not like to highlight, because, you're talking about a situation where, again, you're running a school district, you're working with students, you're dealing with curriculum, you want the best, you want to insure the students' success. That's what you want, the best for the students, but you've got to deal with the realities of life, too.

COMM. CAMARILLO

Yes sir.

RENE TORRES

You're talking about economic situations affecting families, that consequently lead this family to be a broken family. So, what have it, unfortunately the end product is a child that is affected drastically by this; and yes the child, in essence, ends up being possibly a victim of a crime within the family or/and aggressive themselves committing crimes. I'd like to say and leave and leave it at this, the type of situation would be truancy, juvenile delinquency, children in need of supervision, different situations, with regards starting to skipping school, shoplifting, criminal mischief, vandalism, burglary. We have an increase in student population here in the Edinburg area, admittedly, it may not be as much and I'd like to say as progressive as others in population, but we still are increasing on the average from four to six hundred students on a yearly basis. If you were to envision that as far as an elementary school basis, that's one elementary school every year. We are increasing and this isn't only our area, I'd like to speak on behalf of the Edinburg School District, but in doing so, I want this to overlap to the other school districts, that these concerns be kept in mind. I understand the fiscal mindedness behind your all's move, I understand it fully and I'm behind it. I'd like to pride myself in having some semblance of business sense, although my personal accounts state otherwise, but I understand it fully, but we need to keep in mind the delivery system, what the JP system is all about. Yes, it's an arbitrator, a mediator and it's a very effective position and hopefully situations like this that arise in the elementary campuses and other secondary school campuses, hopefully they can be met and dealt with at the JP level, and we don't see them taking root further up the line in the District and County Courts at Law. We're dealing with something very heavy here, gentlemen, to put it simply and I just want to raise these concerns to let you know yes, you are using the right barometer to guide this fiscally, but the impact, there's quite a bit. Did I answer your question?

COMM. CAMARILLO

No sir, you didn't. Is there a JP in the audience that would give me a percentage of business on, on civil service, or civil cases, rather...

RENE TORRES

I wouldn't be able to state that, I'm sorry. It would probably be best, from a JP.

JUDGE RUIZ

That deal with school districts?

COMM. CAMARILLO

...that deals with elementary schools.

RENE TORRES

Again, what I can state and they would be in line with this here is the difference support programs that are involved, which the majority of you all, if not, all of you are aware of; and the referrals that come from these supports programs, but again keep in mind a JP also deals with basically a counseling type of situation, where it doesn't necessarily deal with the civil docket.

COMM. SALINAS

You, do you support the elimination, do you think that you are, you used to work for the Sheriff's Office, didn't you?

RENE TORRES

Yes sir, up until last December.

COMM. SALINAS

Did you have any problems with the JPs, in getting the JPs to respond to some of your calls?

RENE TORRES

No sir, only some instances when, I made, well everybody has to take a day-off and to take a day-off and your a public servant, you've got to leave the County.

COMM. SALINAS

Well, you, you had a lot of experience with, with, well as a matter of fact, you were the spokesman for the Sheriff's Office.

RENE TORRES

Right sir.

COMM. SALINAS

Is there a need for all the JPs that we have, right now, do away with the monetary problem, that we're talking about, right now.

RENE TORRES

Right.

COMM. SALINAS

You would probably be the one, that would tell us, yes you need everyone that we have out there, right now to take care of crime, or take care of the calls that we have right now. Do you think that we do need all the JPs that we have right now? And let's not talk about, let's not talk about dollar signs.

RENE TORRES

Okay, now, in regards to the situation there, I can give you an approximate percentage and this, I guess, would fall in line with partially answering your question there. When an officer would respond, let's say a deputy sheriff, and handling the amount of calls, let's say on a given weekly basis, the amount of calls that that officer dealt with, I would be safe in saying 50%, and this is a real rough approximation, I want to qualify it in that regards, approximately 50% of those calls were contact your JP, a referral to the Justice of the Peace. So, consequently, yes, you are looking at that taking place, but, if, in essence, you do decide to go and eliminate one JP position, you will have to enhance the support system that is available, in processing the caseload and the dockets; and the civil dockets for the existing JP position. That you will, cause you will have a bottle-neck, that's just the logistics of the whole situation. So, yes there is quite a few referrals and the JPs were made available by themselves, admittedly sometimes you couldn't, but, it's understood, majority of the time if not 95% of the time, JPs were available. Possibly because there were so many.

COMM. SALINAS

Yea.

RENE TORRES Any other questions?

JUDGE RUIZ Any other questions?

COMM. ARCAUTE Oh, there's a lot of questions.

RENE TORRES I know there's a lot, yes.

JUDGE RUIZ We appreciate it.

RENE TORRES Thank you.

JUDGE RUIZ Judge Ruben Ramos.

JUDGE RUBEN RAMOS I'll run in '92 and I'll run in '94. Commissioners, ladies and gentlemen, let me say this, and several of the prior speakers have said it, we, we have to, in a way, keep in mind the service we provide. It's more, Commissioners, Judge, then just the money...

JUDGE RUIZ We understand.

JUDGE RUBEN RAMOS ...a lot of the people that go see me, don't generate revenue for us, but they need that service. They absolutely need that service. When I go out on an inquest, that doesn't generate revenue, except for the funeral homes, the ambulance...

JUDGE RUIZ The autopsy.

JUDGE RUBEN RAMOS You're familiar with that. Okay, but, that's a very necessary service, it's like the ambulance service, we need the JPs to be well trained, well staffed, professional JPs, like you people run this Court. You're looking at it real hard, it would be so easy for me to say, let's keep the nine and you know, why, why try to fix it if it's not broke; but I'm saying, it's a, it's not that simple. Look where the people are, for instance, Judge Trevino and myself are trying to serve to the best of our ability and we get along real good, absolutely, but we're trying to serve 145,000. Commissioner Arcaute, you're right in there, 145,000 and that's, all I'm asking is whatever plan you decide, give us the necessary tools and your backing and your support and also from the public, so that we can continue to serve you the best we can. I don't envy you, as far as making this decision, being over there, it's a lot easier over here, but when I get back to the office, believe me, I cannot be thinking just revenue, in fact, that's the last thing that I consider if a person goes there with a problem. As far as civil cases, they will increase tremendously, I'm getting a lot of calls because the jurisdiction went up to \$5,000.00, because of the economy, I am hearing a lot more, what we call forceable detainers, you call them evictions. People just simply cannot pay the rent. So, keep that in mind again, I don't envy you for being there, I think I know what Norberto Salinas or Commissioner Salinas' question is going to be, am I for the new plan or the old plan? Would I eliminate the three?

COMM. SALINAS Are you for the elimination or not?

JUDGE RUBEN RAMOS With the elimination or not, I knew you were going to ask that and I'm ready, I am saying that if six of us can better serve, yes, but keep in mind it is going to overload or not overload but create a heavier load on

(09/27/91)

us six. It's simple, if instead of four Commissioners you only had three, the three would carry a heavier load, so please just keep that in mind, as far as staff and, and training or whatever.

- JUDGE RUIZ Judge, let me ask you a couple of questions, and, and I think you've already answered, but I'm, I'll just ask you directly. You serve the most urbanized area in our County, you have been...
- JUDGE RUBEN RAMOS Okay.
- JUDGE RUIZ ...in all your term of office, you know the McAllen, PSJA area. It probably has the biggest, it does have, as a matter of fact, the biggest load in civil cases, okay. Can you, with proper staffing, can you take care of the load?
- JUDGE RUBEN RAMOS Absolutely.
- JUDGE RUIZ Now, Judge, you are the most affected, you are the person, who is taking, not new ground, but new ground for where you live and this may be a political question, Judge, because redistricting is political, for that matter, okay. Are you comfortable, I mean answer me truthfully, are you...
- JUDGE RUBEN RAMOS I've always answered you truthfully and I'll answer you again, I'm not a politician.
- JUDGE RUIZ Well, I understand.
- JUDGE RUBEN RAMOS Let me answer you this way, no, no, no, no, what I mean and with all due respect, I've never had a problem with this Commission, let me give you something and you people, out here, I have been honest with the people, I am honest with the people, because I'm not going to be a JP all my life. My father is gravely ill...
- JUDGE RUIZ I'm sorry to hear that, Judge.
- JUDGE RUBEN RAMOS ...he's dying, he was in the hospital thirty days, he has almost lost all consciousness, but before that he said, "Son, be honest and work hard", and that's what I promise you Commissioners and the people of Hidalgo County, whether I'm a JP, whether I'm flying an airplane, whatever I'm doing, I'm honest with you, Commissioner Arcaute, especially with you here in the precinct where we are and Mr. Salinas, but I will give you an honest day's work, everyday. Whatever you decide I am with you and God bless you and I hope I can continue to be of service.
- JUDGE RUIZ All right, all right, Judge.
- JUDGE RUBEN RAMOS Thank you. Do you have any other questions, I'm sorry?
- COMM. CAMARILLO Judge, a point has been raised that, that has brought concern to me, in reference to the elementary schools. Due to the fact that, that Precinct Four in the proposed plan, exist two brand new elementary schools that, that have been built in the last three years, can you tell me, sir, the, the amount of work a JP receives from an elementary school?
- JUDGE RUBEN RAMOS I can tell you about the McAllen School District.

COMM. CAMARILLO

Okay.

JUDGE RUBEN RAMOS

I believe that they are taking the majority of their cases to the municipal court judge. Now, I have the people that go see me, when they have a problem, "My little Johnny was beat up by another child" and then the grown-ups get into it, but as far as the actual complaints, Commissioner Camarillo, I am not getting those complaints in, in other words, it's not a problem; and I have a large number of schools, we have, I guess, the largest number of schools between PSJA and McAllen, but that is not a problem with me.

COMM. CAMARILLO

Okay.

JUDGE RUBEN RAMOS

I'm not saying it's not a problem with another JP, but I'm just saying with myself.

JUDGE RUIZ

Thank you, Judge.

JUDGE RUBEN RAMOS

Thank you.

JUDGE RUIZ

We appreciate your comments. Mr. Andy Anzaldua.

ANDY ANZALDUA

How are you, Judge?

JUDGE RUIZ

Good morning.

ANDY ANZALDUA

Gentlemen, Ms. Etnire, ladies and gentlemen, I think that probably all of you know I'm not as eloquent as this gentleman, that just left here, but I think probably all of you know, that, the reason I'm here. I'm also a candidate for that JP position, in Precinct One, before I came here, somebody said, "You know, you shouldn't go and speak there, because, you have a vested interested". Well actually I do, I'm a citizen of that area, also. In talking about economics, as most people have here, I believe that, as Mr. Samudio said, that the JP positions are not there to act as an H.E.B. or a J.C. Penney, to bring monies into the coffers of the community, it's out there to dispense justice. In addition to that, JP Morales has said to me and to others, on several occasions, that it is very hard for him, at this point, to carry a load, if he would be the only individual as the, perhaps, at this particular time, in his career. I would suggest to you that perhaps, if there would be some savings there's other areas that, that you could probably economize, as an example, and I think somebody alluded to that earlier, is the County Highway Patrol, for example. They're not money revenue, bringing in individuals or rather positions and they still exist up there, maybe \$50,000.00 a click. They, they operate as a PR and some other things and I would suggest that that would be a \$200.00 savings, if that's the amount at \$50.00 a click. I would not talk about the elimination of this JP only because, I'm running for it, but because also, the position is serving a lot of people in that area. That precinct as everybody has stated here, has 79,000 population versus the thirty-two in the other area. If the civil cases as you're saying are going to go up, and Mr. Morales is already saying that he is loaded to the gills. He says, "I work everyday till seven o'clock I can't seem to, to be able to, to do all the work that I need to, I haven't gone to throw some maiz at my rancho, because I don't have the time", etc. I, perhaps you should think twice before eliminating, not only the

position in that precinct, but probably in the other areas also, in that they may be needed in the future. I thank you. Any questions you may have?

JUDGE RUIZ

Let me ask you about a fine and just give us a., do you define as, as, as a candidate for potential JP, for that precinct, is a fine a penalty?

ANDY ANZALDUAS

I'm sorry, I didn't hear that.

JUDGE RUIZ

Is a fine a penalty?

ANDY ANZALDUAS

Well, according to the, according to the law, it's supposed to be a penalty, but you know, there's differences in terms of a penalty, if, you, know and I know and most of us know here that there's people that go out there and if the fine is \$150.00, there's some people that can't pay \$25.00 or \$10.00. So, if you're saying it's a penalty, yes it is according to the law. I don't look at it as a penalty, it could be a deterrent also and it doesn't have to be a hundred and fifty versus \$25.00 to be a deterrent.

JUDGE RUIZ

Be it a penalty or a deterrent, in sense to be a fine isn't so the penalty and the deterrent isn't part of justice?

ANDY ANZALDUAS

I'm sorry.

JUDGE RUIZ

Isn't it a part of justice?

ANDY ANZALDUAS

Sure, oh, you're saying, you're saying if somebody is issuing a ticket, that's part of justice.

JUDGE RUIZ

It is, isn't it?

ANDY ANZALDUAS

Yes, are there any, you know, I don't know if the, I know why you're alluding to that, because you were talking about the County Highway Patrolmen, you know, I don't know how many tickets they issue; and, and I'd hate to...

COMM. ARCAUTE

What about the tickets that are issued, I want to hear about the tickets that are not collected for.

ANDY ANZALDUAS

Well, then you need, you need additional JPs to do it then.

JUDGE RUIZ

Well, no we've got enough tickets out there, we've got enough tickets out there.

COMM. ARCAUTE

I guess this, this, before I lose my train of thought, that, in, I guess the last two, several years, as you Commissioners, are aware of, I, I had requested some, some type of reporting, to this Commissioners' Court, by some of the departments and something we didn't have before, but these reports that we're getting are not giving us a true picture of, of those particular agencies that we're getting them from; and I just thought I'd throw that in, at this point, and I thought it was very timely. Thank you.

ANDY ANZALDUAS

I'm, I'm, I, I, I don't know if I answered your question, Judge, I, I didn't come here really to, to run my campaign before you, I'm here to ask for you to reconsider the eliminating of that particular position and the other two.

JUDGE RUIZ All right, thank you, Andy.

ANDY ANZALDUAS Thank you.

JUDGE RUIZ We appreciate it.

ALAN KAMASAKI Judge, Commissioners, good morning.

JUDGE RUIZ Alan Kamasaki.

ALAN KAMASAKI I'm here representing Mayor Norma Garcia and the City Commission of the City of Merced, in protest of the elimination of a slot in our, in our area. I think a lot of the justifications that are given are, are based on, I think your intention to do the best, but I think you need to consider that in light of some of the testimony that's been given, your savings may not actually be as much as you think. Every Justice that's come up here says they can do the added work, but they need the added staff, so you may not end up saving as much money as, as you anticipate. I think, secondly, Mayor Garcia would like to point out that, our area, specifically, has not really been given a chance to study the plan and, and to solicit comment from the community in general. I believe the plan was, was approved on Monday or at least aired publicly on Monday, for the first time, and here it is Friday, and you're planning to approve it and then send it to the Justice Department. So, I think what we'd like to request is maybe a little more time for us to gather some input. Thirdly, it seems like if the idea is that urbanization is a problem and that's creating a less of a, of a cash flow for the Justices, that the plan ought to be based on, on rural area population and not population as a whole or on urbanized population versus rural and, and really begin to test the, the workload, that would be created. So, I think on those three basis, plus the letter that she had submitted to you all earlier, that would be the position of the City of Merced.

COMM. SALINAS You speaking for the City of Merced.

ALAN KAMASAKI Yes sir.

COMM. SALINAS You had a JP there for many years.

ALAN KAMASAKI Yes sir.

COMM. SALINAS What happens if somebody from Weslaco or Donna wins that position and he opens an office in Donna and you will not have a JP anyway?

ALAN KAMASAKI We would still have two people to split the workload.

COMM. SALINAS Would you be forcing the new JP that wins to move to Merced?

ALAN KAMASAKI Well, I think that, that the public would decide who would win that spot, I don't think...

COMM. SALINAS I understand that, but, you understand that you might lose the JP anyway.

ALAN KAMASAKI Yes sir, I, that's part of the calculus, sure.

ANDY ANZALDUAS May I answer the question?

COMM. SALINAS Yes sir.

ANDY ANZALDUAS Both our candidates have said that the, that the office would remain in Mercedes, I have said that I will give Donna service on a one or two day basis, cause they have never had a JP.

COMM. SALINAS So the commitment is that they will stay in Mercedes?

ANDY ANZALDUAS That's correct.

ALCARIO SAMUDIO I have come up publicly and in the newspaper stating that, that's my first campaign promise.

COMM. SALINAS Okay. You have good support.

ALAN KAMASAKI I guess so.

COMM. SALINAS Are you for the elimination? You're not, verdad?

ALAN KAMASAKI No sir.

COMM. SALINAS Okay.

ANDY ANZALDUAS You didn't ask me that one.

COMM. SALINAS Well, I knew you were not going to be fair.

JUDGE RUIZ Any other questions? Alan, thank you very much.

ALAN KAMASAKI Thank you.

JUDGE RUIZ Any other comment?

COMM. CAMARILLO Judge, can I call a Judge, ah, Judge Jackson to the podium.

JUDGE RUIZ Yes sir.

COMM. SALINAS Mr. Cerda is coming.

COMM. CAMARILLO Will you, oh, okay.

JUDGE RUIZ Constable Cerda.

RUMALDO CERDA Good morning, Judge, Commissioners and all the audience I'm Constable Cerda, I'm just concerned about my area, that area #43 and #69. I just, you guys plan is already written up and I'm very concerned about those two precincts and because, the thing is that I've being working with those people very closely and calls and I'm pretty sure instead of calling the Precinct Five, I'm going to have the calls; and like I say, I mean, I know all those people very well and they know me and I can't say that I can't go over there. I'm going to be at their service, to serve them at the time they call me, even if they're going to be out of my precinct, I'm going to give my service to them, any time they call me. If the plan is going to be like it is right now, on, on Precinct Five, so that's all I've got to say that I can't refuse to give service to them.

JUDGE RUIZ Constable, are you familiar with the other plan? Are you familiar with...

RUMALDO CERDA Well, not very well, but...

JUDGE RUIZ                    You want to see it?

RUMALDO CERDA                Yes sir.

JUDGE RUIZ                    I want you to compare, because I heard, why don't you  
put the County Commissioner plan, there.

COMM. SALINAS                Which he would have to follow?

JUDGE RUIZ                    Which he would have to follow.

COMM. SALINAS                No, but...

COMM. ARCAUTE                Isn't that the one next to it?

COMM. SALINAS                ...he would, he would have, he would have to follow  
the JP line.

JUDGE RUIZ                    Well. Get the JP, you have that, Noe?

COMM. SALINAS                The old JP lines.

JUDGE RUIZ                    The old JP line that, that was proposed? I want you  
to compare and, I'm not trying to tell you how to run  
your politics, it's just, boy, you know, you're talking  
about.., this is, that's the present configuration.

COMM. SALINAS                That's what we have right now.

JUDGE RUIZ                    That's what we have right now. Now, where on the plan  
would, the plan that was proposed by Judge Jackson.

NOE CAVAZOS                 It's this one over there, sir.

JUDGE RUIZ                    Let me see that. Constable Cerda, can you see that  
Precinct Four, that orange.

COMM. SALINAS                Over here.

JUDGE RUIZ                    On this one Constable?

RUMALDO CERDA                No.

JUDGE RUIZ                    On this one.

RUMALDO CERDA                Yes sir.

JUDGE RUIZ                    You see how you're dipping into North McAllen.

COMM. SALINAS                Yea, but.., he would have to go into North McAllen.

JUDGE RUIZ                    Can you see that?

COMM. SALINAS                Yea.

RUMALDO CERDA                Okay this...

COMM. CAMARILLO             That's, that's Faysville, right there.

COMM. SALINAS                That's Faysville.

RUMALDO CERDA                This is #69.

COMM. ARCAUTE                Yea.

RUMALDO CERDA                Yea, this is #56, Faysville and and #43 are here.

COMM. CAMARILLO Yes.

COMM. SALINAS Well...

COMM. CAMARILLO That's also in the plan, the Jackson plan.

RUMALDO CERDA Okay, this is the plan for Precinct Five?

COMM. SALINAS Right.

COMM. SALINAS Yea, well is it there or here?

JUDGE RUIZ I'm saying, I'm saying you see those, those precincts going into, into McAllen, down there. Pointing them out.., yea.

RUMALDO CERDA Yes sir.

JUDGE RUIZ Do you feel comfortable with those precincts?

RUMALDO CERDA Well, I don't have had any problem, yet, I, okay. If I have to do, the thing I mean, I don't feel very well because I'm going to lose people that I know to new people, now, that I know in #65. See ,I'm going to lose at least five or six hundred votes and I'm not going to gain any.

COMM. CAMARILLO Saying it explains it.

JUDGE RUIZ Now I understand, Constable. I wanted somebody to say that, it makes me feel good.

RUMALDO CERDA It's great, right now, cause I don't know any people over there.

COMM. SALINAS So you're against this plan completely?

RUMALDO CERDA Huh?

COMM. SALINAS You're against the plan completely?

JUDGE RUIZ Well you're against...

RUMALDO CERDA Well, I'm not against it, I'm just, I'm just concerned I'm just telling you about the plan you all have that I'm concerned about #43 and #69, that if the people from #43 and #69 call me...

JUDGE RUIZ You're going to serve them.

RUMALDO CERDA ...I'm going to serve it because I know the people very well and I can't refuse to serve them.

COMM. CAMARILLO And the people...

RUMALDO CERDA That's what I, what I wanted to tell you all.

COMM. CAMARILLO The people from #69 and #43 are going to have two J., two Constables.

RUMALDO CERDA Constables, right.

COMM. CAMARILLO They're going to gain.

RUMALDO CERDA Because, San Carlos and #69, we, we serve, yes, I know, we have, we have a lot of, we've got a lot of people that we got calls and we serve a lot of papers on those

precincts.

JUDGE RUIZ                   Yea, okay.

RUMALDO CERDA                Thank you.

JUDGE RUIZ                   Thank you for your comments Constable, thank you very much. Any other comments?

COMM. ARCAUTE                If only we didn't have to redistrict. We'll go into the new...

JUDGE RUIZ                   Constable Bazan, good morning.

EDUARDO BAZAN                Judge, Commissioners...

COMM. CAMARILLO             Yes sir.

EDUARDO BAZAN                My name is Eduardo Bazan, Constable Precinct Five, I come to talk you on behalf of the constable, not the Justice of the Peaces. My goal is patrol in the Delta Area of Precinct Five and I will be added, those in another precinct, two precincts, #43 and #69, which be San Carlos and Faysville. At the time, I'm not complaining, it's just that it quite a few rural, a bit of rural area and I'll take San Carlos and Faysville and I can patrol it the way I've been patrolling the Delta Area, Precinct Five. All I'm asking you to consider an extra full-time deputy. That's is all my, that's is the only consideration, if you do, fine, if not, I'll handle it. Thank you.

JUDGE RUIZ                   That request is in your budget, at this point in time, Mr. Bazan.

EDUARDO BAZAN                Thank you.

JUDGE RUIZ                   Any other comments?

COMM. CAMARILLO             Judge, can I call Judge Jackson, to the podium?

JUDGE RUIZ                   Yes...

NANCY SHARY                  I want to say something.

JUDGE RUIZ                   I'm sorry, Commissioner, I forgot, my apologies.

NANCY SHARY                  I'm not running for anything, I'm not going to lose a vote I'm not going to lose anything, except, it just strikes me as really odd, that, that in the elimination of some of these Justice of the Peaces, you are going to create a, you know, I've been in Court, watching a long time, and I know they have been asking for more people in their, in their courtrooms, already and you all denied that. How are you going to feel about it when they ask for not just one more person, but two more people and that will erase anything you have ever tried to save. I mean I can, this is a smoke screen about saving money, and as a taxpayer, I think it's offensive that you all would even use that as a basis. This is political, strictly political, I don't know why or how come, because I'm not that smart, but I know bottom line it isn't going to be monetary.

JUDGE RUIZ                   Thank you, Mrs. Shary.

COMM. ARCAUTE                Es la que se queja mas de las taxas.

JUDGE RUIZ                   That's a reversal. Any other questions or comments? Oh, Judge Jackson, would you come up please, we have a question for you.

COMM. CAMARILLO               You know, I've ask this concern several times and for some reason, I guess we're not supposed to know and I can understand; but just say yes or no, is, are the, are the elementary schools are a problem?

JUDGE E. JACKSON              No sir.

COMM. CAMARILLO               No.

JUDGE E. JACKSON              If I can deliberate a little bit...

COMM. CAMARILLO               Okay fine, I thought...

JUDGE E. JACKSON              Because the, the elementary schools, any truancy there, would go, that is, in my precinct, will go to my precinct. The majority of the schools are within the Edinburg city limits, which they can go to the municipal court or to the JP court.

COMM. CAMARILLO               Well see, that's not the case in Edinburg, now you need to understand that we've got two elementary schools that were built on the rural area and this is why I need for you to inform...

JUDGE E. JACKSON              I've, I've already dealt with some of them, from Edinburg and I haven't had any problems. Most of those truancy problems are dealing with the families and the child on a one-to-one, some of them don't go into the dockets, but you get that child back in school, you educate the people, the parents as to the consequences of not sending this child to school and that's a lot of the way you work it out.

COMM. CAMARILLO               The point was raised, that, that the time element, you know, going to a JP, in the Delta Area, from the San Carlos or from the Monte Cristo area, that's going to be, you know, a concern. That's why, I just cannot picture it in my mind, that the number of cases that would, that would possibly be coming out of these elementary schools

JUDGE E. JACKSON              We don't, I don't deny the fact that there is a truancy problem out there, but it's not at that extreme that it cannot be handled.

COMM. CAMARILLO               Again, handling is not the problem, I'm talking about the time, how many cases...

JUDGE E. JACKSON              I don't have that many cases, in my, in my area. Out of the Hargill area, which is one of my elementary schools, I've had three that were brought in from the Edinburg district.

COMM. CAMARILLO               Three in the whole year?

JUDGE E. JACKSON              Three since I took office, in January.

COMM. CAMARILLO               Okay, that, that's what I wanted to know.

JUDGE E. JACKSON              I had some of La Villa and Elsa, but it's not that big, so it would be definitely have to be handled and to the best, to try and get those kids in school and the parents to know the consequences...

COMM. CAMARILLO                    Since you have taken office, only three cases...

JUDGE E. JACKSON                    ...out of the Hargill area?

COMM. CAMARILLO                    Yea.

JUDGE E. JACKSON                    Yes sir.

COMM. CAMARILLO                    Okay, thank you, sir.

JUDGE E. JACKSON                    Yes sir.

JUDGE RUIZ                            Any other comments? Any other comments? Questions?  
Are there any more questions?

JUDGE LUPE GARCES                    Let me, can I make a comment, Judge on the truancy?

JUDGE RUIZ                            Yes.

JUDGE LUPE GARCES                    In comparison to, to Judge Jackson, I, on a given eve-  
ning Court, when we schedule the truancies, delinquen-  
cies of the children, in an evening Court, so we can  
get the parents in and that would, we won't hinder on  
their evening activities. We have lined up at one par-  
ticular time, fourteen of these case, of these hearings,  
just for that, you know. We'll go from, anywhere, from  
five in the evening till maybe nine at night; and it,  
we need to kind of ask them to come back. It does take  
time, we do have a lot in Precinct 4, and basically  
it's in the immediate area, you know, in the City.

COMM. CAMARILLO                    I didn't see that you were there, otherwise I would  
have called on you, Judge, please forgive me, I, I, I  
saw you walking out and I didn't see you walking in.

JUDGE LUPE GARCES                    There's a vast difference between Five and Four and  
Three and One and Two and Four, you know, we have dif-  
ferent descriptions, we have different people that  
we're dealing with. I assume that Precinct Two, would  
have a lot of forceable entry detainers, eviction,  
throughout the civil, because of the metro, and us  
we're dealing with the truancy and the criminal mis-  
chief of the youth and stuff; but we have to address  
it, and I address it at schools, when I go speak to  
them, too. Open the door for these principles and  
administrators to come in and let's address it soon  
and at timely fashion, again; 'cause these kids get  
used to it, they get used to violating, you know and  
they graduate to a higher type of crime and we don't  
want that. We're implementing a lot the Juvenile Court  
Conference people to do, to deal with the juvenile  
problem, at the schools, where they meet with the par-  
ents and they kind of look into the household, to see  
what's wrong, you know. If a single parent or a, par-  
ents that work nightshifts, something like that. I'm  
glad you brought it up, it's a major concern for us.

COMM. CAMARILLO                    Do you, do you share the same concern as, as Mr. Torres  
that the time element, going from, you know, going to  
your office versus going to, all the way to, to Edcouch  
or the JP?

JUDGE LUPE GARCES                    It would have some significance as far as, the time  
that you can devote to that case, yes. I'm not going  
to rush a case involving a juvenile or a child. If I  
have fifteen cases that night and only hear two, so be  
it, but we're going to address it properly.

JUDGE RUIZ                    So, Judge, in essence, you're not against the overall plan, you're saying, "I can better serve #43 and #69"; and if we gave you #43 and #69, you'd be happy.

JUDGE LUPE GARCES           We're used to the work, let's put it that way. That's it. We're used to the work and we address it when we get to it, yea.

JUDGE RUIZ                    So, let me ask you, if we gave you #43 and #69...

JUDGE LUPE GARCES           It don't matter to me. Any questions?

JUDGE RUIZ                    Thank you, Judge.

COMM. SALINAS                The attorney said, it don't matter how much population you, you can have.

JUDGE LUPE GARCES           Exactly. It depends on how you, the Judge, from that Court go out to the public and let them know. It's a public awareness type of deal, where if your Precinct knows what you do and they're aware of your functions, then you can utilize that office a lot better; and that's what we've been implementing since I took office. Our motto, we're on a full-time type of deal and we've done it, so consequently we've had people walking in and, Judge Jackson mentioned one thing that really stands out, I am proud of the fact or I'm more proud of the cases that we don't file formally. We don't want it to get to a case number, you know, we want to, that's what we're there to do. It's almost like a public relation between law enforcement, the community and maybe a higher court. The JP can eliminate a lot of the cases that are going into the County Court at Law or the District Court by addressing them properly. Bringing in an informal hearing and talking to these people before it gets out of hand. That's what we're trying to do. Anything else?

COMM. CAMARILLO              Thank you, sir.

JUDGE LUPE GARCES           Thank you.

ALCARIO SAMUDIO              I just want to go back to that question of timeliness. I look, I look at this situation, you know, like, I'm sure you folks have talked about it and this should have been out, a long time ago; but I have not heard how, from either the attorney or from you folks, on the one hand, you're talking economics, you're talking about saving \$230,000.00, on one hand; and almost everybody that's come up here, everybody is ready to work and, I guess, we are, too, if elected; but the savings comes in where? If everybody, if everybody, you're going to create a new precinct, which is going to be filled by a JP, already existing; but that would have to create a Constable position, all right. The Constables that exist right now, to do the work in an expanded area need some more deputy help. The JPs who are there, who have a position or position and a half are going to be asking for at least another position, to carry on the workload and to try and keep the civil docket under. I have not seen the figures, that compare one with another, if in fact this is what, I'm not going to use the, the words, as said by the lady, but I've not seen those other set of figures, where the savings comes in and where one plan is compared to the other. Again, we all really want to work with you, timeliness has, is the question. Why Monday, or Tues-

day, announcement. I didn't hear until Tuesday, and then for, supposedly, this hearing here and maybe even a vote pretty quick. Why so soon and why did not the people of this County, did not get a chance to, to work on such a plan? I mean we elected you, and fine, you work on it, but I, I, I think that, that, that everybody should have known about this and get everybody's two cents worth.

JUDGE RUIZ

You think we should give it more time?

ALCARIO SAMUDIO

Of course.

JUDGE RUIZ

What do you think, I mean just for people to come in and, do you think anybody would say anything different than what's being said now?

ALCARIO SAMUDIO

Well, alternative plans, you know, what is the better plan to serve. If in fact we're looking at economics. I mean, fine, we've elected you, we've elected Ramiro, to represent us here and I'm sure he's put his two cents worth in. All I'm saying is give us a chance to meet with Ramiro, let's tell him what, you know, that what, he's been away for two days, I haven't been able to get a hold of him; since I heard about this or the whole Commission could have come up public, you know, two months, two months ago and said, "Look this is where one of the plans we're contemplating". Here, a bomb drops on Tuesday and, and people are supposed to react and have some really, really educated plan to submit here. I don't know, I'm not really saying that we would have anything different. I think that I have spoken my peace, I've been giving it a lot of thought, I mentioned before, I did have a plan to submit, we did not submit one, because we were assured, by your office, that you weren't looking at the JP and Constable positions.

JUDGE RUIZ

My office.

ALCARIO SAMUDIO

Yea, well I mean, I, we talked, you know, and so we didn't submit it. If, I mean, somebody said, you know why, why fix it if it's not broke; and if we got a feeling that this was going to be contemplated, we'd come up, which, we can sit down and talk to, you know, we're human beings.

JUDGE RUIZ

It may, it may have come late for, for the turn of events, Alcario, you now, back two months ago, we didn't know, Commissioner Salinas was going, was not going to run; back two weeks ago, we didn't know Judge Garces, Judge Garza was going to resign, you understand. I mean, the turn of events, I think, we wanted to address the issues of the non-incumbencies in the position, okay, because that is a monetary situation. If we were to actually go out and try to, to eliminate a filled position, by person and eliminate it immediately, then it's a monetary decision to be made. I mean, if you've got a four-year term and we're going to cut it to two-year term, we're going to give you check for two years. Like superintendents, because we have a responsibility, so, so I think that's why this Commissioners' Court was addressing non-incumbencies in positions and that's why it was late.

ALCARIO SAMUDIO

If we, if we just think for a moment that at one time we decided that we were going to have two JPs in the

County, we made that decision because we thought at the time it was the best decision; and we're saying that those are full-time positions, because JPs got to be available almost twenty-four hours a day. What we're saying right now, especially in Precinct One, we're saying that Jesse Morales can do the job. That has been done by two JPs, or should have been done by two JPs for many, many years; and I disagree with you. Thank you.

JUDGE RUIZ

Okay.

COMM. CAMARILLO

Judge, may I make a comment?

JUDGE RUIZ

Yes sir.

COMM. CAMARILLO

You know, we, we've been talking about economics and probably as Ms. Shary, is saying, this is not the case. Immediately, that's correct, correct. It probably might not be the case, because we'd have to staff the, the existing JPs that are going to be taking the responsibility of those that, that we are going to eliminate, if that is the case; but on the long run, yes, there is economics involved. It's a lot easier to, to provide six computer systems to six JPs, rather than to nine JPs. It's a lot easier to accommodate additional staff to six JPs rather than to nine JPs. It's a lot easier to, to, you know, agree on six salary increases rather than nine in.., nine salary increases. So, on the long run, yes, there is economics involved.

JUDGE RUIZ

All right, any other comment?

COMM. ARCAUTE

Related to that, we talked about additional expenses and Judge, I think, you gave us some figures at the outset. That the request for eighty-one, eight hundred thirty-one thousand as compared to four hundred seventy thousand, in expenses. That's three hundred sixty-one thousand and I don't think we've deviated from the figure of two hundred thousand, two hundred thirty thousand in our, in our response to the, to the comments made by the public and that additional staffing maybe that's the \$100,000.00, there.

JUDGE RUIZ

Yes, plus the Constable.

COMM. ARCAUTE

I just thought I'd mention it.

COMM. SALINAS

Plus the Constable.

JUDGE RUIZ

Plus the Constable.

COMM. ARCAUTE

I don't it's going to be \$100,000.00.

JUDGE RUIZ

I, I think where, where.., go ahead, Commissioner.

COMM. SALINAS

I, I'd like to say one thing, you know, one of the JPs that is going to be eliminated or we have on the plan, which is coming from our area. I have not found, in my precinct to have any negative attitude about doing away with one position. I, I don't know why...

JUDGE RUIZ

It's a filled position.

COMM. SALINAS

...it's, it's an appointment that we might have to make, in the next two or three months. I've talked to both JPs and I thought

everybody was in agreement, but, the public that I represent seems to be happy with one JP. Mr. Torres makes a lot of sense, he just left, about maybe the JP needs to be more accessible to the school districts. Maybe some of the JPs have not been doing their jobs. This is why they don't have as many cases from the school district. There's a lot of questions in my mind, right now, about this whole, about this hearing here today. I do pref., I do support the proposal that, that Judge Ruiz, has, has submitted to us. I do have a lot of questions, in my mind, right now, cause Mr. Garces is saying that he is seeing, sometimes from, from fourteen students a day, where I can see Mr. Ramos having a lot of civil cases, in the City of McAllen. Where we have a JP, that is not seeing anybody and has a very low income in, into this County, but we're not going to talk about monetarily, right now. In our precinct we have about, six hundred and fifty square miles, in the new lines, we're probably be taking over South McAllen, which is Balboa Acres and Colonia Hermosa and some of those areas, including west of 23rd, 495 south. I can see where, where the precinct is going to be largely, part of, part of, of, of Six and part of, of Precinct Three, which would be Corpus. Of course, we would have to eliminate him and appoint him to Place Two. If, if the savings are two hundred thousand, I can certainly see where, where we are having problems with the budget. I don't know if you've seen the school district tax rates, that are coming out. They're not, no longer sixty-six cents per \$100.00 evaluation; they're \$1.35 and \$1.36 per one hundred evaluation. So, you can see that we stand here, trying not to raise one penny of taxes, this coming year, simply to give the school districts a chance to fund themselves. To bring better education to our kids and we have to think about the business community and we have to think about the taxpayer that's paying the taxes; and we certainly do not want to raise any taxes or more than we have to, because they are going to get a big, big chunk of taxes from the school districts, mandated by the State. I want you all to see that scenario, and I, I pity the guy that's going to take over Precinct Three and is going to be so, solely one JP, because, we do not have a JP in Sullivan City. We have to travel twenty-five, twenty miles to Mission to pay a fine. We've never complained and we have complained about, I have seen that the people in Sullivan City, La Joya, have failed to elect somebody from that area, simply because the Mission and the, the Mission area have gained those two positions. It might change this coming, this coming election, but I'm clearly and I hope, are we going to make a decision here today or are we going to...

JUDGE RUIZ

Commissioners, we do have, we have a decision to make. Now, it can't be delayed for further comments. We can make decisions to make, to hold public hearings and hold more comments, it's, it's really up to, Commis., to this Commission, at this point in time. Obviously, we do have a deadline, we have to submit a plan to the Justice Department, for their approval, we hope that to do that before the end of, before the end of this month, so that the Justice Department has appropriate time to reflect on all the plans, both County Commissioner and JP plans. So, you know, again, one of the comments that's been said, "It's too soon", you know, you need more public comments, well, it may be right, okay.

COMM. SALINAS                   What if, if the plan stays the way it is, the way we have it right now, Mr. Mendez. The way the Justice Department has it right now. Does it affect?

JUDGE RUIZ                       No.

DAVID MENDEZ                    No, there's no effect and in fact you don't have to submit, the, right now.

COMM. SALINAS                    It would be an injustice to Precinct Two, that serves 148,000 to Precinct Five or the Delta Area. Can we leave the Delta Area with 20,000 people and no, don't do any cuts in line?

DAVID MENDEZ                    From a legal stand point, you do not have to amend and submit to Department of Justice the JP precincts. The ones that had to be done are the Commissioner lines and those have been done. If you want to put in place a new JP system, before the next general election, you know, you've got to do it now. If, you know, if you're willing to hold off and not have it during this next general election, so that, you know, you can't put this in place, I mean, if you decide you want to do this in December, it's too late. You know, this JP scheme; you'd need to do it now, so we can submit it more than sixty days before the primaries, I mean, the sign up date for primaries, which is January 2nd, 1993. So,...

COMM. SALINAS                    What if we decide to keep it the way it is, right now, and don't make any changes at all?

DAVID MENDEZ                    Then, then you're going to have to, at least, through the next general election, you've got to leave it. You know, you can't amend it until after...

COMM. SALINAS                    No, I mean, let's say they stay...

JUDGE RUIZ                       There's no problem with the Justices...

DAVID MENDEZ                    No problem with the Justices, on that. I mean, the one...

COMM. SALINAS                    It can, they can probably do it in ninety, in '94 or when, well, it would have to be 19.., the year 2000, right?

JUDGE RUIZ                       The year 2000. It's a ten year decision.

DAVID MENDEZ                    Well, you, yea you can could, you, you actually, you could amend the JP precincts at any time, I think, after this; and if you...

COMM. SALINAS                    Can you amend it during, during those ten years?

DAVID MENDEZ                    Yes, yea, the JPs...

COMM. SALINAS                    If like, if the Commissioners' Court, in '94 decides to look at it again and say, "Well, let't go ahead and do this", it has no problem with the, with the Census or the Justice Department?

DAVID MENDEZ                    Right, as, as I understand it, it's, it's the Commissioner Precincts that had to be done, you know for the next ten years.

JUDGE RUIZ                       What do we do with the Constables, which are Constitu-

tional?

COMM. SALINAS

It stays the same?

DAVID MENDEZ

The Constables run with the JP lines, so, I mean, if you do one or the other, you, I mean, you've got to do them together.

JUDGE RUIZ

You've got to address it?

DAVID MENDEZ

Right, you've got to address them together.

JUDGE RUIZ

I think my biggest concern on the overall plan is, is is the unanticipated. You know, Commissioners, I, you know, in terms of budgetary and in terms of weighing out the workload and in terms of the areas served, you know, I like the plan, no question about it. I think my, my bigger concern is, is the shuffling that we do, in terms of elections, the election process. I mean, to, to actually have a sitting JP that we have to actually eliminate and re-appoint, then to run for two years and then force him again to run, in two years, for another four years. You know, we're, in essence, affecting every JP in, in, serving right now, okay. Either by area that is being served or by the political process that we're in, we're engaging in. You know, Judge Corpus, you know, he has no assurance that he's going to get re-appointed. I mean, there is no assurance. Judge Garces, the same thing. I mean, you're, you may be friendly with the Court today, but tomorrow you may not be. Judge Ramos, the same thing, you know, you're friendly with the Court today, tomorrow you may not be. This Commissioners' Court, may not appoint you. That wouldn't prohibit you from running, okay, but you lose the incumbency. I have more concerns in that, in the reshuffling and restructuring and the things like that, than with the plan itself; and, and that, that may be sort of, my concerns more so than anything else. I just feel uncomfortable in, in my terms, messing around with JPs that have been elected by the public.

COMM. CAVAZOS

Judge, may I say something?

JUDGE RUIZ

Yes sir.

COMM. CAVAZOS

In my experience, as a County Commissioner and Justice of the Peace, I served three terms as a Justice of the Peace, in my area, in Weslaco, Donna and Mercedes. There is a lot of people that go to the local JP for many reasons. Lunacy cases, civil cases, information, marital problems and many, many more, that I can't even, that I don't have, but, you all know, as well as, I do that the job is needed. Creating another plan would be duplicating or creating more help, more secretaries and I don't think that, this is my opinion, I don't know about the rest of the Court, but I'm talking for experience; and I think that the JPs are needed, because the Weslaco-Mercedes area and some of you admitted, a few minutes ago, that the local JP cannot do, handle the job. So, it is a big County and we're not talking about the, monetary, but there's a lot of cases where you don't charge and you still have to pay attention to that individual and to them it's a big problem. To us, we've got to do it, we're getting paid, and let's don't look at it, that's monetary, but we're giving, we're providing service to these people. So, this is all I have to say.

COMM. SALINAS

I'd like to ask your per., what was the Committee's recommendation? I know that they had a recommendation.

JUDGE RUIZ

Yea, they, two plans were submitted to the Redistricting Committee, Commissioner, why don't you put them up. First of all, this one, which is up here, Commissioner. This one here that was submitted by Judge Jackson, and basically the, the minor change is that, the #43 and #69 were included to Precinct Five. Precinct Four, actually moved down into McAllen, so as to relieve JPs in Precinct Two, have less population; and, and Judge Corpus would also go further into McAllen to relieve, again Precinct Two. See, the, the problems that we had is, the major problem in the plan, according to Redistricting comments, was that Precinct Two had a hundred and forty some odd thousand people, being represented, while you had, for ten years, while you had Precinct One and Precinct Three and Precinct Four and, especially Precinct Five, a lesser population. Most of them, most of the others had about 70,000 and Precinct Five had about 20,000. So, I think, that the changes were to bring all three JPs, Precinct Four, Precinct Three into McAllen, so we could relieve Precinct Two from the McAllen population.

COMM. SALINAS

I think now, that the question should be, are we all going to be in favor of eliminating eight or are we all going to be favor of keeping them all; and then we deal with the lines.

JUDGE RUIZ

Well...

COMM. SALINAS

I think that's, that's, I mean, we're going to have to face this test, whether we're going to be in favor of eliminating three and I think that that has to be dealt with, but's it's well, and then work on the lines and if Mr. Garces wants more population for his district, I have no problems with it.

JUDGE RUIZ

Well, I think we're dealing with plans. Within the plans, I mean, if you, you adopt this plan, you keep nine JPs. If you adopt the McAllen Chamber of Commerce plan, you adopt ten JPs.

COMM. SALINAS

Yes, well...

JUDGE RUIZ

If you adopt the other plan you adopt six JPs, so its a plan. You're dealing with plans.

COMM. SALINAS

I'm completely against the, the McAllen plan, which gives us another JP, ten, I mean, we're trying to eliminate three and they want another one. So, it would be entirely out of the question, to have an additional JP while we're trying to talk, not to talk about monetarily problems, but, McAllen does do have, a good municipal court and a good police department; and they do do a lot of work. I, I would say, we need to talk about elimination and, and decide on that, first.

JUDGE RUIZ

This plan over here, by Jackson, is probably in concurrence with all JPs, maybe aside from Judge Garces, which again, does not address the #43 and #69 precincts, okay, those, what, what Precinct Four is doing is swapping, probably two or three precincts from McAllen for San Carlos and Faysville. That, that's the change, okay, but...

COMM. SALINAS                   What population would that leave Precinct Five, I mean Precinct...

JUDGE RUIZ                     Precinct Five would, it would raise it from...

COMM. SALINAS                   ...but it would lower it, if you would do away with it, and give Mr. Garces those two J., those two voting precincts.

JUDGE RUIZ                     The present population of the, the JP Precinct Five, 22,000, Noe?

NOE CAVAZOS                    20,913.

JUDGE RUIZ                     Twenty thousand what?

NOE CAVAZOS                    Nine thirteen.

JUDGE RUIZ                     20,913, it raises it to 32,129, so it's 12,000 population. If you were to change it to, to Judge Garces' district, you would make Precinct Four, approximately 87,000 people and Precinct Five again 20,000.

COMM. CAMARILLO                But Judge, when you talk about that plan the possible elimination of JPs does not exist.

JUDGE RUIZ                     No, this is nine JPs.

COMM. SALINAS                   That's keeping the whole...

COMM. CAMARILLO                Keeping the.

COMM. SALINAS                   ...the whole JPs.

JUDGE RUIZ                     Nine JPs. So, you know, by process of elimination, I think ten JPs, I would, would presume that on consensus that plan doesn't fly with Commissioners' Court. Take that off...

COMM. SALINAS                   The ten, the ten, ten JPs is out of the question.

JUDGE RUIZ                     Okay, all right, so we need a decision to either keep nine and amend it, are they in accordance with the concerns that were stated here, keep nine and keep it as proposed or keep six and keep it; and also the decision is to be made by this Commissioners' Court this morning.

COMM. SALINAS                   Can we have lunch and come back and ...

JUDGE RUIZ                     No, no, no.

COMM. ARCAUTE                   (INAUDIBLE)

JUDGE RUIZ                     I want to have a good lunch.

COMM. ARCAUTE                   When is that elimination, as they were based on that subject, let's take a break for that.

JUDGE RUIZ                     Unless you want to recess, I mean, we can do that, Commissioners, but...

COMM. CAMARILLO                Let's recess.

JUDGE RUIZ                     You really want to recess?

COMM. CAMARILLO                Yes, I...

COMM. SALINAS We want to digest the, the elimination and we also want to digest the, the keeping the Courts where they are. There's been good testimony here today...

JUDGE RUIZ It's been good.

COMM. ARCAUTE Yes, it has been.

COMM. SALINAS I really would like the, the school district in Edinburg's concern.

COMM. CAMARILLO That's the only, that's the two things that bothers me, at, at this time. That both plans call for the, the moving of #69 and #43 to another precinct. That is something that the, Judge Garces certainly does not agree with and that's also something that the Edinburg School District are not in favor of. So, either of the two plans, got me concerned.

COMM. SALINAS We have a problem in our district, which La Joya is building an elementary, one elementary per year; and our district is growing quite fast. It is a problem that, that if Mr. Torres had not of come here today, to advise us, of that problem, I would have not, I would have been, I've been in favor of eliminating three JPs.

COMM. ARCAUTE You know, Commissioner...

JUDGE RUIZ Go ahead.

COMM. ARCAUTE ...before, before we recess, if we're going to, let me, let me just throw this out, and this is an observation. We've had, of course, participated, I was going to say, testimony, but participation, since it's not a public hearing and in my opinion, what I hear here is, it's not so much population, it's a matter of convenience, okay; and our, and our issue, of course, we have to look at all of it;...

COMM. CAMARILLO Commissioner?

COMM. ARCAUTE ...and

COMM. CAMARILLO It's a matter of vote.

COMM. ARCAUTE Huh?

COMM. CAMARILLO It's a matter of vote.

JUDGE RUIZ Well...

COMM. ARCAUTE Absolutely, and a I see by all the comments that are made, you know, it's, it's people that have a, a very vested interest in, in the outcome. I wonder what the other ninety-nine and nine tenths percent of the people out there that have to shell out the, the, the taxes to pay for this, you know, we haven't heard from them; but, and I do...

JUDGE RUIZ And probably won't.

COMM. ARCAUTE ...understand, this Judge, the turn of events has just forced us to make a decision, based on whatever we have here.

JUDGE RUIZ Again, I think we've got that. I think that, that the

issue of Precinct #63 and #49, in accordance with the school district is an issue. Obviously the issue of six or nine JPs, is an issue. Again, I'll, I'll restate my major concern, is the reshuffling of the JPs. I find myself, personally, having problems, again, dictating to the public, what or redoing for the public what they've done directly. In other words, they've elected Judge Ramos, they've elected Judge Garces directly, okay; and for me to say, well, because of the intent, which I think is a good intent, Judge, don't get me wrong, is, is for me to say, "Well, Judge, tell you what, you know, you're not going to run, two times in four years, you're going to run one time for two years and one other time for four years, and I'm going to think about appointing you". That's, that's, that is, I think, maybe stretching it a little too far, as far as...

COMM. ARCAUTE

Let's keep it the way it is, let's make a motion and accept the, the plan the way it is and we stay with the nine precincts, just the way the system is right now and, and then we can recess and come and work on our budgets and make a decision, on the JPs, right now.

COMM. CAVAZOS

I'm ready to make a decision right now.

JUDGE RUIZ

Let me ask you, before you do something, I think we're making it easier for ourselves, let me before we, we do anything...

COMM. ARCAUTE

Everybody, I'm just trying to make it for them.

JUDGE RUIZ

...yea, what about #63 and #49, do you have any final comments to make?

COMM. CAMARILLO

Yes, I would keep it the way it is, at the present time, throwing that out. I've got two choices, I cannot accept that one, over there, but I, I can accept the way it is, keep the nine, keep the same lines or go with the elimination of, elimination of three, three JPs. I have never, my decision...

JUDGE RUIZ

You're saying, you're saying keeping the same lines that exist today?

COMM. CAMARILLO

Yes.

JUDGE RUIZ

I, let me, let me, not argue, let me state a comment. You know, Commissioner, I think, that, that is a grave injustice for Precinct Two, because they have a hundred and forty thousand people. Now, I could work with #63 and #49, okay, but I will not go back to the original plan and let one precinct, two JPs, represent 140,000 people, where all the other three are representing the are of 60- and 70,000...

COMM. CAMARILLO

I understand.

JUDGE RUIZ

Now, I'll work with you on #43 and #69.

COMM. SALINAS

I would do the same thing and I agree with the Judge. I think we need to, we need to alleviate some the problems in Precinct Two, with a hundred and forty some odd thousand people.

COMM. CAMARILLO

Well.

JUDGE RUIZ                    You understand, Commissioner?

COMM. CAMARILLO                I understand, but the point that was raised on the elementary schools is what's bothering me, Judge.

JUDGE RUIZ                    Sure.

COMM. CAMARILLO                ...and, and you don't have to work with me, on that, you need to work with Judge Garces.

JUDGE RUIZ                    We're working on five people, who are going to vote, Judge Garces doesn't vote.

COMM. CAMARILLO                Well, you're right.

JUDGE RUIZ                    It's us.

JUDGE RUBEN RAMOS              Judge, may I make a comment?

JUDGE RUIZ                    Yes sir.

JUDGE RUBEN RAMOS              Very quickly, in McAllen, I don't personally have that problem, because we have, like Commissioner Salinas, said, a municipal court judge and an alternate judge and the way I understand it, it's a full day, full-time Court. I foresee, that Edinburg will have to go to the same system, like Pharr, Commissioner Arcaute, I believe Pharr has almost a full-time municipal judge. So that's why we don't see them and maybe that's why Edinburg, I believe Edinburg has a...

COMM. CAMARILLO                It's a part-time.

JUDGE RUBEN RAMOS              Yea, once every week or something like that. So, that's...

COMM. CAMARILLO                Late afternoon.

COMM. SALINAS                  (INAUDIBLE)

JUDGE RUIZ                    Yes, Judge.

JUDGE E. JACKSON                May I approach the.., Judge, Commissioners, is the Delta Area going to be on a yearly basis, under the threat of elimination, because it only has 20,000.

COMM. SALINAS                  No.

JUDGE E. JACKSON                I'm trying to be a participant and, and with the County...

JUDGE RUIZ                    No one's going to make, Judge, no one's going make you that commitment...

JUDGE E. JACKSON                Okay.

JUDGE RUIZ                    ...I mean, that, that, normally I would tend to believe that this Commissioners' Court would want to deal with it once every ten years, during the census. You know, I don't think...

JUDGE E. JACKSON                But, the fact that it would, if we would stay at twenty thousand, my, my position is trying to grow and be a part of, and help out to eliminate the problems in the other areas, also.

COMM. SALINAS                  Do you do any work at the Jail?

JUDGE E. JACKSON I, we rotate, you know, we rotate...

COMM. SALINAS You go down to the jail and do more than what you all do enough.

JUDGE E. JACKSON Yes sir, that's an understanding among the JPs, we rotate.

COMM. SALINAS So, you just don't work within those 20,000 people...

JUDGE E. JACKSON Oh, no.

COMM. SALINAS ...but you also do work at the Jail.

JUDGE E. JACKSON Of course, and if...

COMM. SALINAS And you work at night?

JUDGE E. JACKSON ...and we do our arraignments out of our precincts, I mean, our inquests and things like that. I mean we belong to the County, as a whole.

JUDGE RUIZ Commissioners, again, go ahead, Commissioner.

COMM. ARCAUTE I just had a question, not for Judge Jackson, but for Mr. Mendez. Can the Commissioners' Court or does the Commissioners' Court have any jurisdiction as far as saying, "okay, we have a, a Commissioners, or a JP/Constable Precinct, here", let's take that pink, I think Commissioner Salinas, brought up a real good point, a while ago. Can this Commissioners' Court designate where that JP office is going to be? Of course, you know, again I'm referring to convenience here and, and geographics and all this and questions, again comes to mind because of the Delta Area. The Judge has a real good point, there. Can the Commissioners' Court say, okay we've got Place One and Place Two, in Precinct, I'm going to use Precinct Two.

DAVID MENDEZ I'm not sure, I'll have to look. I, I suspect...

COMM. ARCAUTE Oh okay -----.

DAVID MENDEZ Yea, I don't know that off the top of my head, I would suspect that you do have some authority in, in that respect, as to where you allocate funds, but, I am not familiar with that particular provision.

COMM. SALINAS They have their office, wherever they want to, they are elected by the people.

COMM. ARCAUTE Well, yea, but, see this is what I'm getting at, they elect the JP, but we provide the monies for the clerk and the building and the whole works, so we should have a say-so as to where it's supposed to be.

COMM. CAMARILLO Yea, that's right.

COMM. ARCAUTE And that'll solve the problem, also.

COMM. SALINAS That would have to be and actually you need to give us...

DAVID MENDEZ Yea, I'll be glad to look at that, I can go out and research that right now and let you know in a, in a few minutes.

JUDGE RUIZ

We probably have that power budgetarily. Either you office in La Joya or we don't give you a budget.

COMMISSIONERS

(INAUDIBLE)

JUDGE RUIZ

Commissioners, let, let's see, it is now the strike of noon, let me see if I can make it, again, I will state my real concern about, the biggest problem I've got, in my mind, is appointments and, and not that I, that I fear appointments. I am talking about making appointments on people that have elected. Eliminating positions that have been elected by our community. I think that is walking on very thin ice in constitutionality of the law and practicality of the law and just sheer politics, and I, you know, I just have real serious concerns, about that. I mean, I, I just don't feel comfortable having the authority to be able to tell Judge Ramos, what're, I can tell him were to run, because we have the power of redistricting. I shouldn't be telling him when to run, because he was elected by the public, okay. I am going to entertain a motion to see if we can settle this issue to go back to the original plan, that was submitted, that, let's call it the Jackson plan, for the, for lack of a better name, by amending that plan to have forty, Precincts #43 and #69 to be included, in Precinct Four and deleted in Precinct Five. All other lines stay the same. That motion would indicate that we would keep nine JPs in this County. I'm entertaining that motion.

COMM. CAVAZOS

I so move to approve that plan.

JUDGE RUIZ

Is there a second, to...

COMM. CAMARILLO

I'll second.

JUDGE RUIZ

There is a motion and a second, to adjust the Jackson plan, by adding Precincts #43 and #69 to Precinct Four and deleting them from Precinct Five. The effect of that would be Precinct Five would have a population to be served of 20,000, Precinct Four would have a popu., a population of close to 80,000. We would be diminishing the population of Precinct Two, to approximately, if I can get that figure real quickly, of 96,000. Precinct Four would have about 87,000, okay, so, in, in order I would say that the population breakdown would be: Precinct Two having the most populated precinct, Four having the second most populated, Precinct Three the third most populated, Precinct One becomes the, the less populated of the area and the Special District having 20,000, okay. That is the effect, there is a motion and a second, is there any other discussion on this motion? Is there any other discussion on this motion? All in favor of the motion signify by saying aye.

COMMISSIONERS

Aye.

JUDGE RUIZ

All opposed same sign. Motion carries. Meeting adjourned.

THERE BEING NO FURTHER BUSINESS TO COME

BEFORE SAID COURT, the meeting of the Commissioners' Court was adjourned.

J. Edgar Ruiz \_\_\_\_\_  
County Judge

Ramiro Cavazos \_\_\_\_\_  
County Commissioner, Precinct #1

Lalo Arcaute \_\_\_\_\_  
County Commissioner, Precinct #2

Norberto Salinas \_\_\_\_\_  
County Commissioner, Precinct #3

Leonard Camarillo \_\_\_\_\_  
County Commissioner, Precinct #4

Dated this 27TH day of SEPTEMBER, 1991.



MIAM R. LEO, COUNTY CLERK

By: \_\_\_\_\_  
Jennifer Castillo, Deputy